

# Congressional Record.

## PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, FIRST SESSION.

### SENATE.

FRIDAY, March 31, 1916.

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

#### NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hollis	O'Gorman	Stone
Brandegee	Johnson, S. Dak.	Overman	Sutherland
Burleigh	Kenyon	Page	Swanson
Catron	Kern	Pomerene	Taggart
Chamberlain	Lane	Shafer	Thomas
Clapp	Lippitt	Sheppard	Tillman
Cole	McCumber	Sherman	Underwood
Culberson	McLean	Stimmons	Vardaman
Cummins	Martin, Va.	Smith, Ga.	Wadsworth
Curtis	Martine, N. J.	Smith, Md.	Warren
Gallinger	Myers	Smith, Mich.	Weeks
Gronna	Nelson	Smith, S. C.	Williams
Hardwick	Norris	Sterling	Works

Mr. HOLLIS. I desire to announce that the senior Senator from Maine [Mr. JOHNSON] is necessarily absent. This announcement may stand for the day.

Mr. KERN. I wish to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER]. He is paired with the Senator from Idaho [Mr. BRADY]. This announcement may stand for the day.

I desire also to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH] on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CHAMBERLAIN. I understood the Senator from Iowa [Mr. CUMMINS] had the floor, but he stated to me a little while ago that he is going to yield to the Senator from Colorado [Mr. THOMAS], who gave notice that he would speak today on this subject.

Mr. CUMMINS. While the amendment I have offered is pending the Senator from Colorado has given notice of an address this morning, and I will be very glad, as far as I am concerned, to take the floor after he has finished.

Mr. THOMAS. I thank the Senator.

Mr. NELSON. Will the Senator from Colorado yield to me for a moment?

Mr. THOMAS. Certainly.

Mr. NELSON. I have an amendment to offer to the pending bill, and I should like to present it and have it printed and lie on the table.

The VICE PRESIDENT. It will be so ordered.

Mr. THOMAS. Mr. President, the bill reported by the Senate Committee on Military Affairs and which is now the unfinished business is designed, as far as the committee was able to do so, to meet present requirements and establish a method of progressive increase of the Army. Its companion bill will be that offered by the Committee on Naval Affairs and designed to accomplish a similar end as to that branch of the service.

This bill has been framed with much care and after full information from all points of view. To the distinguished chairman of the committee belongs the chief credit for framing the measure as it has been presented and for a patient investigation of all those details which are essential to any well-prepared scheme of Army organization.

It is not a perfect measure; but, as far as it is possible for human foresight to safeguard the present and care for the future, with a due regard to the general public requirements, we believe it to be as near to what the Congress should do as is possible under all the circumstances.

Some of its provisions do not appeal to me and some others are not so desirable as companion propositions appearing in the House bill. Time may demonstrate that it has many deficiencies not now observable, but these fortunately can be corrected by additional legislation as the demands of the future may require. We are confident that it is free from the reproach of partisanship and that it is the composite result of an earnest desire upon the part of all members of the committee, without regard to politics or party affiliation, to give to the Senate a bill which it can accept with some confidence that it will be practical and successful in operation.

And, indeed, Mr. President, though its imperfections may be many, I am sure that it will monopolize the resources of the department for its development for some time to come, and that through the process of development experiences will be gained and deficiencies discovered which, as I have stated, can and will be remedied by future legislation.

The bill, Mr. President, will not satisfy the extremists in either direction, and particularly those who demand a very large Army and an equipment little, if any, below those of military nations. Cecil said many years ago that "to have too much forethought is the part of a wretch; to have too little is the part of a fool."

I have little sympathy, Mr. President, with the views of extremists upon the subject of preparedness in either direction. At the same time I respect their convictions, and, with the exception of some of the militarists, for their sincerity.

The fact, however, that it does not meet the expectations of these representatives of part of the public sentiment of the country will doubtless result in a challenge of the efficiency of the bill, and therefore it must be justified by its sponsors. Hence the reasons assigned for a larger establishment than this bill provides requires some discussion, for if they are sound, if there is a menace of danger to the country in the immediate future as real as many declare and as some believe, then, of course, this Nation should go upon a war footing as soon as possible and the proposed measure either be amended, very largely transformed in fact, or rejected altogether. For modern wars, Mr. President, are those of nations and not of armies. In the great conflict now raging across the seas every resource of every nation has been marshalled into action, and the fighting and firing line are coterminous in some instances with the boundaries of empires; in others they stretch so far that flanking movements are impossible without violating the territory of neutral nations.

I do not hesitate to say, therefore, Mr. President, that if we are face to face with a probable invasion, if our condition is such as not only to prevent but as to invite the hostile incursions of some first-class power or powers, the conclusion which has been pressed upon public attention so frequently and so much that preparedness to the last degree is an essential element of our future preservation becomes an unanswerable proposition. But I contend, Mr. President, and I shall attempt to show that while there is necessity for extending the national defenses, strengthening our forces on land and on sea, nevertheless the reasons for it can not be found in the menace of a threatened invasion.

It is contended that we are the wealthiest, most helpless, most envied, and most disliked of nations. Of our opulence there can be no question, and opulence is always attended by the envy of those who do not share it, whether it be the opulent individual or the opulent nation. That we are the most helpless is at least admitted to be a debatable question, and that we are the most disliked of nations can be demonstrated to be false.

I agree, Mr. President, that the advantage which we have taken, and very naturally, of the needs of the nations at war, the exacting contracts which have been extorted from them, the

enormous transfer of wealth from them to ourselves, the occasional lapses in performance, particularly with regard to the quality of the goods furnished, have very naturally aroused a feeling of dislike which would be reciprocal if the case were reversed, and there is no doubt that much dissatisfaction has been engendered, which may have ripened or will ripen into resentment consequent upon commercial conditions which the war has created between our own and some of the warring nations and which have been to the immeasurable advantage of America.

It is said that we have incurred the animosity and tempted the cupidity of other nations against whom we must arm thoroughly and speedily lest we be lost; that our armament on land and on sea, if we would be immune from attack, must be second to that of no other first-class power. As one authority has expressed it, "To do less than this were worse than not to arm at all." I repeat that if these premises are true the conclusion is unavoidable.

But, Mr. President, the war scare is no new thing. It has existed and has appeared intermittently for many years; it will continue to manifest itself so long as men are engaged in private occupations, the prosperity of which is dependent in whole or in part upon war conditions.

Surely the public can not have forgotten the charge of Dr. Liebknecht, made in the German Reichstag in 1912, of a worldwide munitions trust, in which were involved not only the capitalists of all the civilized nations, not only distinguished civilians in these several countries but members of the military and naval organizations and clergymen as well, all of whom, through their identification as shareholders with this great combination, were interested in furnishing arms and munitions of war to whatsoever nation might be induced to purchase. It can not have forgotten that the investigation of these charges disclosed their truth; that the Krupps admitted an annual expenditure of some \$200,000 in disseminating war rumors and operating upon the fears of hostile peoples for the promotion of contracts for guns and ammunition.

I remember very well, Mr. President, how the exposé shocked this country. Beginning with Germany, it involved all the first-class powers of the world, and among other things disclosed the fact that the so-called Harvey Co., an American corporation, was the connecting link which bound great American concerns like the Bethlehem Co. with those of Great Britain, of France, and of Germany.

Nor can we overlook the fact that Japan is an ancient specter, rising bellicose and defiant on the western horizon with the regularity of the seasons and threatening the invasion of America about 30 days before the meeting of every Congress—a specter, Mr. President, which, as is suggested to me, anticipated the consideration by the Military and Naval Committees of their respective subjects regularly and habitually clothed in the crimson raiment of blood and of rapine, and appeasable only by the propitiatory offering of battleships and ammunition. It may be that these apparitions had, and still have, some foundation, but what I wish to impress upon the attention of the Senate is that, true or false, these warnings of unseen but palpable dangers, the expression of their imminence, and their magnitude are not the offspring of the great war in Europe. That has merely shifted them in a different direction and given them renewed force. It has changed the point of attack, and the threatened invasion has been shifted from the Orient to the Atlantic.

Mr. President, the effect of the sudden outbreak of this great conflict upon the reasoning faculties has been most apparent. The war came with all the shock of a world-wide, unexpected catastrophe. Perhaps we might have known—doubtless many of us foresaw—that the constant and continually expanding military and naval equipments of the countries involved would inevitably lead to the existing debacle; but, generally speaking, mankind had reached the comforting conclusion that great wars were things of the past; that the enormous national liabilities, the control of the finances of the world by comparatively few men, the softening, elevating, and refining influences of our modern civilization made any future great conflict impossible. These delusions, Mr. President, dissipated in an instant, disorganized for the time being the rational faculties of mankind and shattered their capacity for an intelligent consideration of the "change of front of the universe."

In a recent article in the Saturday Evening Post entitled "War's madness," Will Irwin says:

The great wars of the past have been fought in unanalytical ages. The historians and diarists have recorded battles, diplomatic maneuvers, the thoughts of statesmen and generals. No one, so far as I know, has speculated very much on the state of the public consciousness, and no one, before Armageddon broke out, seems to have understood that the mind of war is an abnormal mind, that he who touches

it becomes infected with a madness. It has always been so, I suppose; but it is doubly so now, when war on an unprecedented scale has affected a set of nations highly civilized and possessing, therefore, highly organized nerves.

From the very beginning of the war Europe was abnormal, although the abnormality had then a different form from the present madness. No one in those early days seemed ever to smile; and this was equally true of the French, the Germans, the British, and the Belgians. Laughter I heard, but it was metallic laughter. The sound which a London theatrical audience made after a comedian sprang a joke was quite different in quality from the hearty laughter of ordinary times. You perceived it, too, in the people on the streets. A London crowd is always somber enough; but never before did it look like this. People walked stooping, their eyes on the ground. When they raised their faces you saw that their brows were curiously knitted. That is the symptom which one notices most commonly in a madhouse. No lunatic's brow ever seems quite in repose. Such was the composite face of London in August and September, 1914.

It was the face, too, of Brussels, as I found when I arrived there, just before the Germans came. Brussels, of course, was anxious and very much afraid. In spite of newspaper yarns about the heroic defense of Liege, the Belgians really expected just what has happened. But anxiety could not exactly account for the strange expressions, for the oddity of the gestures and movements among the people on the streets. They talked and acted by jerks.

These emotional conditions, Mr. President, are kaleidoscopic; they attack the imagination and reasoning powers first from one and then from another angle. Among other things, they breed credulity. Men are prone to believe whatever they hear if asserted with conviction.

Thus, Mr. Irwin calls attention to the fact that shortly after the outbreak of the war—

Europe was a study in the growth of rumor. Bizarre reports, great and small, ran from mouth to mouth. There was the famous story of the Russian forces in England, which was told so circumstantially that even the correspondents of neutral nations, comparatively calm in this soul tempest, came to believe it.

And I am reminded by this reflection, Mr. President, of an incident that occurred shortly after the declaration of war against Spain by the United States in 1898. I happened at the time to be in the city of Chicago when a rumor came over the wires that the Spanish fleet was in the lines of European and Atlantic travel under orders to sink or to intercept all vessels bearing the American flag. I saw a mob around one of the telegraph offices with white faces and pallid lips, clamoring for news from the great American trans-Atlantic liners bearing friends and relative to and from America. Every individual in the throng was panic-stricken by the rumor, which was accepted without question as to its accuracy. The public mind was off its balance; hysteria had for the time dethroned common sense; excitement and apprehension were uppermost. Next morning the rumor was dissipated, but the state of the public mind consequent upon the declaration of war was receptive to every rumor, however unreasonable, with which it might be confronted. So the rumors of the Russian invasion of Germany through Great Britain, like the rumors of the Spanish fleet of 1898, mythical and absurd though they were, for the time being were facts as real, as absolute, and important as any which have actually transpired since then.

These mental maladies, Mr. President, are contagious. They inevitably spread to neutrals and arouse the fears and the apprehensions of their people. They also, unfortunately, arouse their cupidity, and this, the greatest of all wars, has for the time excluded dispassionate consideration of all other topics. Our capacity for calm and sober judgment of men and of events has been disturbed by our emotions; our vision has been clouded by the dust and smoke of the conflict; abnormal and horrible conditions have aroused national sympathies, antipathies, and apprehensions. Our indignation has been inflamed by atrocities in Belgium, in Serbia, in Armenia, and in eastern Prussia, and we shudder at the thought of their possible repetition in America.

Nations, like individuals, Mr. President, are governed more largely by their fears and their prejudices at all times than by their reason. I think that may be stated almost as an axiom, which can appeal for its truth to the history of civilization. Hence we have been prone to imagine perils impending, but which for our hysteria would unquestionably excite our derision.

War, too, has developed latent race tendencies in our composite citizenship. These have been aroused, and, to some extent, new political alignments have been consequently made. We have been appalled by the brutality of modern warfare, and particularly by the discovery that our civilization, after all, is but a thin veneer; that we are barbarians all; that our knowledge, slowly accumulated by the generations, seems in its last analysis to aggravate our brutality and extend our power to destroy.

I pause here, Mr. President, to say that, in my judgment, the most valuable lesson which America has derived from the great European war is the consciousness of the fact that there is in this country no unity of American citizenship, no oneness of



purpose, no distinctively national policy. On the other hand, we seem to be a polyglot combination of races, which have not been fused in the melting pot, which finds expression each along its own lines of nationality, which have not yet grasped the value or the significance of free institutions or the necessity of maintaining the Government, that its institutions may endure.

We now perceive that our constant pursuit of things material, our strife for wealth and luxury, have taken the flush from patriotic impulse, has dulled the edge of our devotion to the Nation, has made us indifferent to the precious institutions of which it is the custodian, has caused us to forget the terrible cost at which they were acquired. It remains for us to take advantage of that lesson, Mr. President, by cultivating a oneness of sentiment, an equality of citizenship, the establishment and administration of justice in all its aspects, to the end that true Americanism may become the enduring element, binding us all to the defense, as we are bound in the destiny, of the great Republic.

Mr. President, that sort of preparation is indispensable to the success of all others, for without the national feeling, that oneness of purpose, that love of country, that exaltation of American institutions above every other earthly consideration, all the armies and all the navies, the panoply of war, "the captains and the shouting," will be unavailing if the crisis of the Nation's existence, which, God forbid, should ever confront our people.

War, Mr. President, has also profoundly affected us economically, socially, politically, and morally. It has doubtless subjected us to dangers, but at the same time it has offered us marvelous opportunities. These, of course, I can only mention and enumerate in passing. It has given us new markets, stimulated production, shifted the financial center of the world. It has been a graphic verification of the truth of Mr. Seward's celebrated dictum in 1861, "There is no customer like a great nation engaged in offensive warfare."

The war has also doubtless necessitated departure by belligerents from the lines of international law in their treatment of neutrals. These departures have brought us at times into diplomatic difficulties with nations that are leading in the conflict, some of which are still existent, but all of which, I trust, will be disposed of without resorting to the close of diplomatic relations or to acts of retaliation.

Advantages caused by war demands have created new lines of production and new captains of industry. These have seized opportunities and have prospered abnormally, not only through the needs and agony of nations by the manufacture of equipment necessary for their purposes, but also through the manipulation of the stock market. Their suddenly acquired gains and their methods of acquirement doubtless makes it difficult for some of them "to sleep o' nights." In the language of Shakespeare they "Weep to have what they so fear to lose"; and perhaps, actuated by a possible sense of danger, they are earnest in their loud and constant clamors for preparation.

Mr. President, those who thrive by war are naturally desirous of continuing war conditions. I think it was Demetrius the silversmith who protested against assaults upon the temple. He was an image maker, and by that means he made his livelihood. The public state of mind resulting from war, the reasoning faculties obscured, the emotions aroused, and the imagination ready to depict or to entertain any and every assertion of existing danger, became fertile soil for the seed of the war-rumor propaganda. Mankind was ripe for suggestions and self-interest was swift to make them.

One prominent newspaper a few days ago asked the question, in arguing for an expanded military organization: "Who would have supposed possible such a war as this? Is our invasion the more impossible?" The answers to such questions, Mr. President, are easily made by an excited and apprehensive audience. Very naturally it accepts the suggestion which such inquiries involves, and recognizes the necessity, because believing the rumor, of providing against the imagined danger by clamoring for most immediate and extensive "preparation."

Mr. President, there is yet another motive which prompts the declaration that our exposed and defenseless condition invites, and may suffer, immediate incursions from other countries. I refer now to those who are interested in the continuation of existing internal conditions and who shrink from all change either as chauvinistic or as injurious. It is well known that this country, at and before the outbreak of the war, was absorbed in the consideration of matters of grave domestic concern. They had reference to abuses which were the outgrowth of commercial and economic conditions and which found expression in discontent, which manifested itself sometimes in very dangerous outbreaks and collisions in election contests, in legislation, and at all times in active agitation of a more or less

effective character. Now, the demand for immediate preparedness, if made insistent, necessarily crowds out all other affairs of public concern, and therefore it is to the interest of those who believe in the good old doctrine of *laissez faire* to substitute the cry for preparedness, for a great naval and military establishment, and to base that cry upon the charge that we are in imminent and immediate danger of invasion, since it is impossible, in the inflamed condition of the public mind, thus aroused and thus appealed to, to consider any other than the immediate question. Therefore, reforms, no matter how badly needed nor how insistent, will be either shelved, postponed, or forgotten.

It is an old saying that when the whole family goes to the circus there is the opportunity of the porch climber; and when the whole Nation has its attention fixed upon the threatened danger, not only of invasion but of extinction, every legislative reform, every social change, however needed, is necessarily postponed to the consideration of the immediate danger, and when postponed the chances are that it may be permanently forgotten in the consequent absorption of the public mind. Plans and policies for internal regulation of economic and social affairs become then no longer prominent, and may reforms which are crystallized into law halt in their operation.

I have noticed that one of the immediate consequences of the war in this country has been the establishment of two great combinations, second in magnitude only to the United States Steel Corporation, one being the Midvale and the other, if I recollect correctly, the Cambria, although I am not positive as to the exact name of the latter. And, Mr. President, their formation, which would have been the signal for excited and determined opposition prior to August, 1914, has not created a solitary ripple of excitement or of more than passing notice anywhere. The time is ripe for these combinations. They have sheltered themselves behind the bulwarks of a supposed necessity for immediate preparation for national defense, and the good work will doubtless continue, as does the process of wealth consolidation, which seems also to proceed unhindered; indeed, that which is used to divert public attention from these things becomes an asset easily coined into gold while we are preparing to meet an enemy of the imagination.

Then, too, Mr. President, increased public expenditures which preparedness necessitates may also force a return to the good old tariff conditions. Extensive preparation means very largely increased public expenditures. People dislike direct taxation or any taxation of which they are cognizant. They submit to indirect taxation easily because it is unobservable, and those infant prodigies which have been disciplined by the enactment of the Underwood bill doubtless look upon this war as a providential occurrence, which, properly handled and wisely conducted, may force the hand of a reluctant Congress to return to the good old days of the Payne-Aldrich tariff, and, as the Senator from Oklahoma [Mr. GORE] suggests, justify the war from that standpoint. I commend this phase of the so-called menace of an invasion particularly to the consideration of my friends on this side of the Chamber.

Then we are told, to use the expression of one of the great New York papers, that New York and Boston and Philadelphia and Chicago are drunk with money. The proceeds resulting not alone from the increased demand for manufactures and foodstuffs, but from the values given to shares and bonds representing the institutions thus engaged, has brought to this country countless millions of dollars, gorging the avenues of trade, and becoming to some degree a positive burden in the economic channels of the country. What better outlet for them than a bond issue, with the people of the United States and their wealth as the basis of the security? These gentlemen are in a position not only to furnish us with everything necessary for preparedness, but also to lend us the money, if so be we shrink from taxing the people directly, at a comfortable rate of interest, and thus have the Nation as the old dandy arranged his coon trap—so as to catch the people of the country "a comin' and a gwine."

I have heard many suggestions of bond issues here, and from public men at that, in connection with general and loose discussion of the means to be resorted to for the purpose of securing a needed added revenue. I have noticed that some of the financial papers, first hinting, have afterwards openly advocated that method of financing our new schemes of preparation. For my part, Mr. President, I hope the Congress will not consider them at all. There is no need in this day, with all the wealth that has been accumulated in this country, for mortgaging posterity by the issuance of a single dollar of added indebtedness; and I think it is well that that fact should be made as clear as possible, to the end that this element underlying the propaganda for extensive and unlimited preparation may understand the

situation. As far as I am concerned, I believe, as far as we can do so, in placing the expense consequent upon our necessary military and naval expansion upon the wealth of the country, and particularly upon the war industries, if I may so term them, of the Atlantic States.

What is it that is said to be so attractive to these mercenary countries of the Old World, armed to the teeth, and looking with dripping chops upon the splendid spoils offered to them upon our defenseless shores? What is it but the accumulated wealth, aggregating billions of dollars, and unequally distributed among the people living along the northeastern part of this defenseless shore? Shall your sons and mine be enlisted and take their place in the ranks, equipped with munitions of war to defend this country, and to defend, of course, that wealth, and at the same time be made to pay for it? We who bear the burden of the day, the heat, and the conflict of actual warfare, are offering the supreme test of loyalty and of citizenship. Therefore let those whose accumulations are to be protected, and the amount of which constitutes the tempting lure to the other nations of the world, meet the financial obligations which we must assume so largely on their account.

These various conditions, Mr. President, somewhat crudely stated, have given the old Army and Navy propaganda an added impetus. Japan has been succeeded by Europe as the "accelerator of public opinion," if I may use the expression of a somewhat celebrated New York politician. The propaganda began with the firing of the first gun at Liege, since which time the press, the pamphlet, the moving picture, the perambulating orator, the convention, the church, and the professions have all been enlisted for the crusade. The administration and the Congress have been denounced in unmeasured terms for their supineness, their indifference, and, above all, for their lack of patriotism in failing to recognize and to provide against the danger. If any effort that could have been made has not been resorted to to stampede the Nation, I am at a loss to know what it is. The movement has been organized; it has been well conducted; it is certainly managed with rare executive ability; and while unquestionably it comprises a considerable portion of the patriotism of the country, at bottom, Mr. President, cupidity and avarice and greed are the basis of the propaganda. Its expense has been enormous, but that has not proven at all embarrassing. From these sources and interests have come wars and rumors of war; our helpless military and naval condition have been exploited; our enormous wealth, the ambitious designs of other powers, their hostility toward us, and their contempt for us. With a few honorable exceptions, the entire press of the country has voiced these conditions for months, accentuated with growing frequency, by abuse of the President and denunciations of the Congress for their supineness and indifference to an obvious national peril.

Mr. President, if we are one-tenth as helpless as some of these gentlemen and some of these organizations have declared us to be, true patriotism would have suggested that they keep silent about it instead of advertising our great wealth, our inability to defend it, our sloth, and our opulence to these covetous nations across the sea. As it is, no nation, however insignificant; no invasion, however ridiculous; no menace, however absurd, has been suggested that has not found lodgment somewhere. Apprehension has given way to fear and fear to hysteria, that the future is pregnant with hidden but real dangers to our national peace and integrity. How clearly a moment's reflection reveals the fact that the real menace is to our National Treasury; that the contemplated assault is directed by these national scandal mongers upon the national resources.

Mr. President, this militarist propaganda, which combines a medium portion of patriotism with a very large portion of self, is a commercial enterprise. The enormous profits of the makers and venders of war supplies will probably cease with the war itself, unless a new market for their wares can be provided. The best and perhaps the only available new customer is the Government of the United States. If it can be seduced or frightened or stampeded into a policy of unlimited naval and military equipment, the new business will continue, even though the war should end to-morrow.

Mr. President, I do not want to be unfair in this discussion. I am quite aware that cupidity, the desire for gain, the ambition for material progress and benefit through the medium of so-called preparedness, is not confined to the munitions makers. It is an inherent American propensity, and where it is not inherent has been cultivated everywhere. "We all do it." I think I am within bounds when I say from two to three thousand bills have been introduced and are now pending in the two Houses of Congress at the instance of individuals or of localities, based upon the theory of needed preparedness, and having for their purpose and object the securing of appropriations to

be expended in those localities, but which, but for the propaganda, never would have been dreamed of. I mention this fact in no spirit of carping criticism. The average citizen can not be blamed for imitating a common example nor for demanding a share in a proposed scheme of nation-wide expenditure. When gain and glory go hand in hand, patriotism waxes not in the crowded marts of commerce only, but in the highways and byways everywhere.

I want to read an extract from a letter which I received some days ago as illustrative of the fact that the material side of the extended and unlimited propaganda is not confined to the Atlantic seaboard. This letter is from the West, although not from my State. It begins with two quotations—one biblical, the other historical:

"The Philistines be upon thee."

"Nero fiddled while Rome burned."

This is a third and final reminder that while Congress sleeps the enemy may be advancing. What will we do when every munitions plant on the seaboard is in his hands and none in the interior? The Almighty has stored in the hills around—

I have omitted the place—

every element essential to the manufacture of war material and the patriotic citizens of the town are anxious to donate a site for a Government plant. Is Americanism dead and the public servant hypnotized?

This is my last appeal. Please tell the President that the alternative is a munitions plant at ———, and other advantageous places west of the Alleghenies, or Roosevelt for President. He must make his choice.

DEMOCRAT.

[Laughter.]

The author of this epistle is neither less sincere nor more ridiculous than the presidents of defense societies nor the frantic advocates of a Navy greater than England's or an Army equal to that of Germany.

Mr. President, our Navy has been decried, our Army has been ridiculed, and our administration denounced by the advocates of this propaganda. Eminent men have convened in this very city and charged the President of the United States with indifference, with neglect of duty, and with cowardice. Congress and members of the Cabinet have been overwhelmed with similar epithets and denunciations. Aye, men heretofore in charge of great departments, in which millions have been expended under their own supervision, have befouled their own nest in denouncing their departments as deficient in organization and entirely unequipped for the exigencies of the hour. Our defenseless coast and our unprotected areas east of the Alleghenies, where the bulk of the Nation's wealth is centered, has been mapped and platted, and gentlemen have discoursed eloquently over its many vulnerable points of attack and the awful consequences of its invasion by a comparatively small army of veteran soldiers, and while manufacturers at the same time are increasing their equipment, extending their plants, enlarging their business in this exposed area of the country, all indifferent to the fact that the "Philistines are upon them."

Mr. President, the Army and Navy officers wherever they have spoken at all, with two or three exceptions, have joined their voices with those who warn and those who prophesy. Far be it from me to say anything derogatory of the officers of the American Army and Navy. They are a splendid body of men. They have no superiors. They are, generally speaking, the soul of honor—men of high purpose and lofty ambition, ready to aid their country wherever they can, not only in the assumption of official responsibility but in giving the benefit of their experience to the Nation.

I do not, therefore, Mr. President, in referring to the association of these gentlemen with the preparedness program, intend to do more than to call attention to what may be called a national trait, a democratic trait, if you please, which characterizes officers of the Army and Navy of the Republic and due largely, if not entirely, to our form of government and its institutions. I am reminded that Lord Salisbury once declared that the average officer, if consulted, would insist upon fortifying Mars against the moon. I do not go quite as far as that although the experience of that great statesman doubtless justified his comment. I think the tendency of an American or a French officer, however, would be in that direction.

Mr. President, one of the greatest books in the English language, and too little read in these days, is De Tocqueville's Democracy in America, written a great many years ago. I shall ask permission to insert at the end of my remarks his twenty-second chapter entitled "Why democratic nations are naturally desirous of peace and democratic armies of war." I shall read only a brief extract from this chapter on page 282 to illustrate what I mean:

In democratic armies the desire of advancement is almost universal; it is ardent, tenacious, perpetual; it is strengthened by all other desires, and only extinguished with life itself. But it is easy to see that of all armies in the world those in which advancement must be slowest in time of peace are the armies of democratic countries. As the num-



ber of commissions is naturally limited, while the number of competitors is almost unlimited, and as the strict law of equality is over all alike, none can make rapid progress—many can make no progress at all. Thus the desire of advancement is greater, and the opportunities of advancement fewer, there than elsewhere. All the ambitious spirits of a democratic army are consequently ardently desirous of war, because war makes vacancies, and warrants the violation of that law of seniority, which is the sole privilege natural to democracy.

We thus arrive at this singular consequence, that of all armies those most ardently desirous of war are democratic armies, and of all nations those most fond of peace are democratic nations; and, what makes these facts still more extraordinary, is that these contrary effects are produced at the same time by the principle of equality.

It is to be expected, therefore, that the occasion of occasions for this tendency to manifest itself is that which contemplates an expansion of our military and naval systems. The motive behind it is commendable. It is wholly free from the taint of avarice and of greed, but it must nevertheless be taken cum grano salis, since it is not entirely disinterested.

It is the best part of the play, but not beyond fair criticism.

Now, Mr. President, what is and has been this danger, and what nation is it that threatens our peace? This is the concrete question which confronts us in view of the propaganda to whose origin I have referred. If I understand it, we are said to be in peril of invasion by some one or more of the great powers now engaged in war, whose resentment we have incurred, or whose cupidity we may have aroused; and that either or all of them can easily land upon our defenseless coasts an enormous veteran army, which, because of our defenseless condition, will overwhelm the country, levy tribute upon its wealth and dictate its own terms of peace, thus humiliating if not subjugating the Nation, because of its supine and slothful indifference to the obvious peril. What evidence do the alarmists furnish to support their warning?

Mr. Henry A. Wise Wood, who is prominently connected with the Aero Club of America, recently related, and I quote from a clipping from one of the circulars of that association, that—

*In the archives at Washington there is a document which sets forth the celerity with which these very seas may suddenly be used for an attack upon us. According to its contents, which give the numbers of men, each of several nations could land upon our shores within a given period of time, it lay within the power of one of these nations to set down upon our Atlantic coast, in 46 days, over 750,000 men, with artillery, sufficient ammunition, and supplies to last them for three months. And on our Pacific coast, it was stated, in 61 days there could be landed approximately 350,000 men, with supplies and weapons.*

The italics are mine.

This necessarily implies, Mr. President, that somewhere in the national archives is a plan or document prepared elsewhere which our Government had been fortunate enough to intercept and which both discloses this perilous situation and the probability of its execution. I shall presently show that this is merely a résumé in the author's own language of a calculation of the Army War College as the partial basis of a proper military policy. But Mr. Wood continues:

*It would require at least five years to get and train men to meet this contingency. Therefore the plans to increase the Army to 300,000, and to provide for training that part of the citizenry which is willing to train while being employed daily in peaceful pursuits, can not be considered as anything more than a conservative precaution. Nor can the plan to spend \$17,500,000 for aeronautics—\$7,500,000 for the Navy \$5,000,000 for the Army, and \$5,000,000 for the militia—be considered excessive.*

It may be uncharitable to suggest that the proposed appropriation for aeronautics had much to do with the alarming announcement preceding it, although there can be no doubt about it. Be that as it may, I feel free to offer the comforting assurance that I shall vote for a generous appropriation for that arm of the service, without regard to the sensational situation so prophetically outlined in Mr. Wood's statement, and so vividly portrayed in "The Battle Cry of Peace."

Not Mr. Wood only, but Col. Roosevelt has given his sanction to this paper invasion by referring to it in some one of his multitudinous contributions to the press upon the general subject.

Mr. President, there is no question but that a great many good people in this country, millions of them, have been impressed by these absurdities and really believe them. They are entitled, I think, to definite information with regard not to their existence, for they are mythical, but to their probability, either presently or in the more remote future.

What is the nation which entertains these designs upon America? We certainly have no reason to fear Italy, or Austria, or Russia, or France. The senior Senator from North Dakota [Mr. McCUMBER], in a very able address upon this general subject, with his usual exhaustive ability, demonstrated the absurdity, a few days ago, of the existence of any possible apprehension from those countries. Is it England or Germany? Mr. Roosevelt, in another of his articles, has assured us that we need not fear England, because she is not a military nation.

Germany alone, Mr. President, is left, and every man, if he will admit it, who believes or who thinks of invasion pictures in his imagination the advancing helmets of the German legions. The only nation which possessed 750,000 veteran troops when the "document in the archives" was written was Germany. The only nation whose colonial ambitions might conflict with American policies was Germany. The only nation whose marine equipment and whose military equipment unite and which could therefore secure the needed transportation for such a horde, with its equipment, is Germany. So when war with some country across the sea or the invasion of America by some country across the sea is mentioned, Germany is the one nation which the mind has in view, whether expressed or not.

Of course, Mr. President, I must not be understood as assuming that there is any basis for such an apprehension or that the existence of such a danger is even remote beyond the fact that its status justifies the inference. I merely express what seems to be the inevitable conclusion to be drawn from the attitude which the militarists, so-called, necessarily assume when warning our people of their peril.

But if we admit, for the sake of argument, that these apprehensions are well founded, what sensible, sober-minded man or woman can, upon a moment's reflection, feel that such an invasion is either possible or probable?

I do not overlook the assurance, Mr. President, that the warring nations will be more formidable when peace has been declared than they are now; that the danger will then be more insistent and exigent than ever; that the hundreds of thousands of battle-scarred veterans who have won their spurs on sea and land, the survivors of the greatest war in the world's history, will be the most compact and magnificent fighting forces ever known. This is undoubtedly true, but these forces will be divided then as now; and, without regard to efficiency or truculence, only the improbable amalgamation of the armies of Europe could make them a source of serious apprehension to America. And we may be sure that the animosities of the present will be accentuated when peace shall have come and the nations brooding over the conflict and its destructions come to realize the extent of their calamity.

Moreover, Mr. President, these unhappy countries are weary of conflict, bankrupted in their finances and facing a future so gloomy, so forbidding, and so pathetic, whatever the issue, that further strife will be abhorrent. To say that any nation, the greatest or the least of them or all of them together, in view of these conditions, would immediately, after the close of the present hostilities, provoke a rupture with the United States and attempt to transport a great army 3,000 miles across the sea to wage an offensive war against a nation of 100,000,000 of population, possessed of limitless resources, with all the possible consequences involved, is to picture a possibility so utterly baseless as to be absurd; yet the portent finds currency among many good and thoughtful people all over the country, who will live to laugh at their apprehensions and marvel at their easy but complete deception.

Mr. President, a hostile force can reach us, if at all, only from across the sea. I think that is self-evident. It can not come from any other direction or in any other manner unless the science of aeronautics should advance so rapidly as to enable it to come in transports through the air; and if that be so, then all the preparation in the world we may make by land and on the sea would be of practically little value, lest our artillery shall have been so developed as to enable us to destroy it. I venture the assertion that no such force as would be required for our conquest could come or could disembark successfully, even had there been no great war, with all its casualties and destruction.

What nation possesses both the ships and the hosts required? I am speaking now of possibilities at the end of the war, since we are surely immune from invasion until then. England is not a military nation. She has the vessels; she has not the men in arms; and even the fact otherwise, inasmuch as she has a thousand miles of seacoast of her own to the north of us, with a frontier of 3,000 miles between Canada and ourselves, we might sow the waters with bombs and sea mines and plow the depths with submarines from our northeastern coast extremity to Galveston, and yet, so far as England is concerned, she could carry out her hostile purposes as though we had done none of these things, unless our fleet were sufficiently strong to destroy her armada. She could land her troops upon her own coasts and then attack us across the border. We may therefore leave Great Britain out of our calculations. What of the other nations?

Now, Mr. President, I come to the estimates of the Army College with regard to this subject. But before doing this I will refer briefly to the testimony of Gen. Wood and one of his

aides before the committee, which I think is appropriate in this connection. Gen. Wood calls attention to the fact that 98 ships were able to convoy and land 120,000 men at Gallipoli, his contention being that this historic fact, this military accomplishment, was conclusive of the ability of any of these nations to land even a larger force without difficulty upon our shores if undefended. Gen. Wood, however, stated some of the transports used by the British Army were capable of carrying from ten to twelve thousand men, which gave her an enormous advantage, and which explained the small number of vessels required for the transportation of such a large number of men with their equipment. No other nation possesses transports of such huge capacity.

I recall that it required 35 transports to carry 35,000 men from Canada to Great Britain, and I think that was without their complement of munitions and equipment. This proposition would require ten times that number of vessels for 350,000 men, and perhaps half as many more for the needed impedimenta. With regard to the Gallipoli incident, it must be noted that this convoy was assembled at Alexandria, and very close to the point of disembarkation. The length of time required for the transportation of the troops from Great Britain to the point of assembly will not be known until the war is over. It was, of course, much longer in point of time with the allies in full command of the seas. There was an occasional submarine perhaps; but England and her allies were in absolute command, subject to that one possible disturbing influence, between the point of embarking and the point of disembarkation.

Col. Glenn's attention was called to the same subject. I asked and he answered the following questions:

Senator THOMAS. Colonel, if my figures are correct on a basis of 98 transports to 128,000 men, it would take 311 transports for 400,000 men?

Col. GLENN. Yes, sir.

Senator THOMAS. An armada of that size would encounter some pretty severe and dangerous experiences, would it not? It might be enveloped in fog or meet with storms?

Col. GLENN. Yes, sir; it would have to take its chances on all those things; yes.

Senator THOMAS. Probably resulting in disaster?

Col. GLENN. I do not think so, sir.

Senator THOMAS. With a number of ships like that?

Col. GLENN. I do not think so, sir.

Senator THOMAS. And particularly if it had a large convoy with it?

Col. GLENN. It might, of course. You have to take your chances on that sort of thing; but I do not believe that it would.

Senator THOMAS. Assuming that you had to make a landing with your troops, after reaching the shore somewhere outside of a harbor or along the shore, how far out would it be safe to anchor your transports from the shore in order to debark the troops?

Col. GLENN. It depends entirely on the conditions. Yet, at the harbor of Salem, Mass., I think they would run them right in to the docks. We certainly can not reach them with any guns we have.

Senator THOMAS. Landing at some other place where there is no harbor?

Col. GLENN. I do not catch the point, sir. They would not hesitate to make a landing from several miles out, if it were necessary, sir. They would use their launches.

Senator THOMAS. With small transports like those used by the British Army it would be necessary, would it not, for them to stand off quite a distance from shore, especially if the wind were blowing shoreward?

Col. GLENN. That all depends upon the local conditions of the harbor.

Senator THOMAS. I am eliminating a harbor in these questions, sir.

Col. GLENN. You mean, sir, an open roadstead?

Senator THOMAS. Yes; I am eliminating harbor conditions.

Col. GLENN. I do not quite catch your point. You mean, how far out it would be necessary for them to go—

Senator THOMAS. I must assume that if a landing is attempted where there is no harbor, that those large transports will not be able to come right up to the shore, but that they will have to debark their troops and ammunitions with lighters. About how far out would these 311 ships have to stand in order to safely do that, and how far away from each other?

Col. GLENN. They, of course, would have to have swinging room for their anchor chains when they did that; but I think that the question of just where they would anchor would depend on the depth of water.

Senator THOMAS. Precisely.

Col. GLENN. And it would also depend upon what their facilities were for discharging. With the Navy present and the facilities that were provided, it makes no serious difference whether it is a mile or whether it is 5 miles; it takes just simply a little bit longer to handle it.

The significance of the extract just read lies in the assumption—the constant assumption by the witness—of the ability of the enemy to disembark within some harbor. My questions had reference to disembarkation upon the assumption that harbor protection would make it the equivalent of such disembarkation as took place at Gallipoli; a very different and a far more perilous situation. While we are told that this is simple and feasible, no expert will discuss it under examination if he can avoid it.

Now, I come to the "Statement of a proper military policy for the United States," by the Army War College, with regard to the subject; and, Mr. President, I believe its close analysis demonstrates, without extended comment, the improbability—nay, the impossibility—of a possible landing of an armed force

upon any part of our shores. I read from pages 10 and 11, the subsection entitled "Preparedness of the world powers for over-sea expeditions":

*Control of the sea having been once gained by our adversary or adversaries, there is nothing to prevent them from dispatching an over-sea expedition against us.*

Of course not; but there is the assumption by the experts at the outset of a condition that our Navy makes impossible, as I think I can demonstrate in a few moments. The statement proceeds:

*In order to form an idea of the mobile force we should have ready to resist it, an estimate must first be made of the approximate number of troops that other nations might reasonably be expected to transport and of the time required to land them on our coasts.*

The number of thoroughly trained and organized troops an enemy can bring in the first and succeeding expeditions under such an assumption is a function of—

(a) The size of the enemy's army; and

(b) The number, size, and speed of the vessels of the enemy's merchant marine that can be used as transports.

Should our enemy be a nation in arms—that is, one in which all or nearly all of the male inhabitants of suitable physique are given a minimum of two years' training with the colors in time of peace (and this is true of all world powers except ourselves and England), it is evident that the size of the first expedition and succeeding expeditions would be limited only by the number of vessels in the transport fleets.

Note the exception of England, the one nation thoroughly provided with sufficient transport facilities.

Then follows a detailed statement of transport and military strength of the nations. This is already in the RECORD, and it is not necessary for me to reinsert it. The Senator from Oregon [Mr. CHAMBERLAIN] inserted it on the day before yesterday; but I will merely say that the total strength of the armies of Austria-Hungary, France, Germany, Great Britain, Japan, and Russia, and also the tonnage available of ships with a capacity of over 3,000 tons and 2,000 tons and 1,000 tons are given, the number which could be transported on a first expedition, and the number which could be transported on a second expedition, the German Army, of over 750,000 men, being given about 47 days—within 1 day of the time mentioned by Mr. Wood in the clipping to which I have called attention—and Japan some 41 days, about the same time as that stated by Mr. Wood. These are my reasons for declaring that this estimate is that mysterious, that marvelous, that damning document reposing somewhere in the archives of the War Department.

The allowance made in this estimate is 3 tons per man and 8 tons per animal for ships over 5,000 tons and 4 tons per man and 10 tons per animal for vessels under 5,000 tons, which allowance has been used in estimating the capacity of vessels, except where the regulations of other countries prescribe a different allowance.

They also include rations, water, forage, and so forth, for the voyage and a margin for three months' reserve supplies. The tonnage allowance covers men, animals, and all accessories, and is sufficient to provide for vehicles, including guns, and is "that prescribed in our field service regulations."

Mr. President, I do not know when those field service regulations were formulated, but I do know that the impedimenta which must accompany an army, if equipped for modern warfare, as armies now engaged in war are equipped, make this allowance entirely too small, and that, instead of one ship to a thousand men, the tonnage required would be at least 50 per cent greater than this estimate. It would tax to the extreme the energies, the capacity, and the possibilities of the merchant marine of every nation in the world, with the single exception of Great Britain, who, as I have stated, if she desires to invade us, can do so without regard to our efforts at coast protection.

This report is theoretical; it must be theoretical; and if it has slumbered in the archives of the War Department so long, then it certainly must have been made at a time when military and naval conditions were entirely different from what they are at present. The development of the artillery arm by this war, to say nothing of others equally important, would more than double the capacity allowed by this estimate for impedimenta.

Mr. President, let us assume that a nation—I do not care which, but some one of the powerful military nations of the Old World—should design the investment of this country, what would be the effect upon its commerce in commandeering a sufficient number of vessels for the purpose? What time would be required to gather the stores and munitions essential for such an expedition and to load them when gathered? In what port could the armada be assembled? And if in several, where would the several fleets assemble? When one considers the increased paraphernalia of a modern army, aeroplanes, lorries, camp kitchens, hospital supplies, gasoline, provisions, horses, mules, ammunition, modern siege guns, hand grenades, trench tools, telephones, wire, aeroplane attachments, engineering equipment, and all the other varied mechanical combinations essential to modern warfare, and then say that in 46 days or



in 46 weeks a sufficiently formidable expedition could be assembled to invade and swoop upon this country without more than a moment's warning, so to speak, is more than absurd; it is ridiculous. The experience of the British at Gallipoli is, for the purposes we are now considering, no experience at all. And I venture the assertion that the Army College, should it revise its report, will be forced to the same conclusion.

I have here, Mr. President, an article from the Kansas City Journal, which is entitled "What preparedness means," which I ask to insert at this point in my remarks without reading. It throws an illuminating light upon the controversy. I will merely state that, amongst other things, it declares that a million men, marching four abreast, would extend over a line 400 miles long, practically from Kansas City to the Colorado border. Then a statement is made of the various items of equipment which must accompany such an army. I shall not burden the Senate by reading it, but ask that it be printed in the Record as a part of my remarks.

The VICE PRESIDENT. Without objection, permission is granted.

The article referred to is as follows:

[From the Kansas City Journal.]  
WHAT "PREPAREDNESS" MEANS.

Probably no word has ever dropped more frequently or more glibly from the tongues of the American people and with so little understanding of its real meaning as the word "preparedness." People know, of course, that preparedness means being ready with an army and navy for resistance if the United States is invaded by an enemy, but the immense amount of preliminary work that must be accomplished before a state of actual preparedness is reached, and how it is done, are details to which the average citizen has given little thought. It is customary to imagine that mere soldiers in the bulk constitute a machine for defense, and that with an army of a million men there need be no worry about incidentals.

Assuming that 1,000,000 men stood ready to take up arms for the defense of the Nation against a first-class power, what would they need immediately before they could take part in a single battle? Just to feed them would require 4,000,000 pounds of solid food and 3,000,000 pints of coffee daily. To equip this army would require 750,000 rifles, 2,000 field guns, 200,000 horses to haul these guns, 165,000,000 rounds of cartridges, and hundreds of other things that are not at present available.

That the citizen soldier may have some adequate idea of the tremendous amount of preparation that must be accomplished before preparedness is a fact two Army officers have drawn up a schedule of war from the inside. This is not a manual of training, but a treatise in plain language and a guide by which the layman may inform himself in a general way concerning military rudiments, so that if he is ever called upon to defend his country he may understand better the general nature of things military. In this connection many popular fallacies are pointed out, such as the alleged geographical security of the United States; the idea that Americans are born soldiers; that European nations will be too exhausted to be feared after the war; that lack of money abroad will prevent a war; that, prepared or unprepared, the United States can "lick" any nation on earth, and that money and material resources are synonymous with military strength.

What does an army of a million mean? One million men marching four abreast would extend over a line 400 miles long, practically from Kansas City to the Colorado border. Some of the things that these million men must be provided with before they can fight are:

Seven hundred and fifty thousand rifles and bayonets for them to fight with.

Two hundred and sixty-five thousand pistols, little brothers of the rifle.

Eight thousand machine guns, the military scythe.

Two thousand one hundred field guns to batter down attack.

One hundred and sixty-five million cartridges to carry them into their first fight and as many more for each succeeding fight.

Two million five hundred thousand shells and shrapnel for our field guns for every hour they are in action.

One hundred and ninety-six thousand horses to carry them and pull their carriages.

One hundred and twenty-seven thousand mules to haul their supplies and pack their guns.

Eight thousand wagons to transport their supplies and ammunition.

One million cartridge belts for their ammunition.

One million first-aid packets to bind up their wounds.

One million canteens.

Each of them must have a uniform and equipment:

One million shelter halves to protect them from the weather.

One million ponchos to keep them dry.

Two million blankets to keep them warm.

Two million pairs of shoes.

Two million uniform coats, breeches, leggings, suits of underwear.

One million hats.

Two million shirts.

Four million pairs of socks.

One million haversacks to carry their equipment.

Finally they must eat:

One million pounds of meat each day.

One million pounds of bread each day.

Two million pounds of vegetables each day.

Three million pints of coffee or tea each day.

All this must be purchased, transported, prepared, and cooked each day, and to eat it they must have:

One million cups.

One million plates.

One million knives.

One million forks.

One million spoons.

To provide for proper care, training, and led into battle they should have 25,000 trained officers.

The calling into service of 1,000,000 men would mean the organization, equipping, and training of 10 armies the size of the complete Regular Army of the present time. If 1,000,000 men should apply at the recruiting offices, it would require the uninterrupted effort of 1,000

recruiting parties, working day and night for more than 10 days, to enroll and enlist them. It would require a week to move them to the camp, provided all the suitable railroad equipment of the country were given over to this work alone.

One thousand men would have to work day and night for 10 days to erect the tents for them, and when completed this camp would amount to a city of more than 125,000 tents, covering an area of more than 8,000 acres, an area equal to the size of St. Joseph.

Mr. THOMAS. Now, Mr. President, by way of contrast to the assertions of our many vocal warriors and of course I do not thus refer to our War College nor to the officers whose statements I have referred, I call attention for a moment to what seems to me to be the best-considered article upon the subject of overseas invasion, considered from the nautical standpoint, which I have been able to discover. It was contributed to the Contemporary Review of February, 1909, and is signed "Master Mariner." It was inspired by a report to the British Parliament that an invading force of 150,000 men could be conveyed in 200,000 tons of shipping from Germany to Great Britain, the British Government at that time having under consideration the general subject of a possible invasion of England by the German Empire. This gentleman made that report the subject of the article to which I am calling attention.

He first directs his criticism to the fact that the force would have to be "accompanied by 14,000 horses and a full proportion of guns and wheeled transports, amounting to hundreds of large and small vehicles." He says:

Now, it is one thing to calculate tonnage for infantry alone, but quite another to allow for the other branches and impedimenta of an army fully equipped for service in the field.

Of course, I am only reading extracts—

Another very misleading generalization put forward—

Says this writer—

was contained in the statement—perfectly true in itself—that 200,000 tons of shipping are normally to be found lying in German ports, from which it was inferred that there would be little or no difficulty in commandeering sufficient and suitable sea transport for immediate use by the invading army at any moment. But what does this 200,000 tons represent? It represents the aggregate tonnage of a heterogeneous collection of shipping averaging at least 150 vessels of different sizes and speeds, from Atlantic liners to coasting tramps, or perhaps even steam barges, in which the actual numbers and individual vessels vary, with arrivals and departures, not only every day but every tide. Now, it must be borne in mind that the distribution among different transports of the units of an expeditionary force which intends to land on an enemy's coast in the expectancy of opposition at any moment is mainly governed by the requirements of the disembarkation, for it is obviously a matter of the greatest importance that the force should be landed in such a manner that it can be tactically formed for meeting the enemy with as little delay as possible when once on terra firma, or it may be surprised in a state of unprepared confusion. To insure this it is essential not to split up brigades, battalions, or batteries among different ships more than can be helped, and, in cases where splitting up is imperative, the different vessels carrying separate portions of the same organization or unit must be allotted neighboring berths in the disembarkation anchorage plan—of which more hereafter—or utter confusion will ensue.

He then refers to the expeditionary force of 15,000 men sent by the Americans to Cuba in 1898 as an "instinctive example." He concedes that that was badly managed and worse regulated, and consequently it is not very illuminating. He then refers to the matter of secrecy, which, I think, is to be one of the elements of the prophesied invasion—that it would be upon us almost before we knew it. He says:

A great deal has been said about the powers the German authorities possess of keeping matters secret, but a sudden and wholesale embargo on the national shipping in their ports would occasion so much surprise and even excitement among the neutral shipping lying at the same jetties that every outgoing neutral vessel would carry the news to her destination, often only a few hours' steaming from the German coast. If they were prevented from sailing to stop this, the mere fact of the nonarrival of the usual numbers of expected coasters at various ports would tell its own tale, repeated at once to London.

That is to say, secrecy would be absolutely impossible in connection with such a proposed expedition. Let me say right here that the speed of any fleet must necessarily be regulated by its slowest unit. A fleet of 300 or 400 vessels would necessarily include some which were much slower than others, and, unless they were to be abandoned and allowed to make their way on their own speed and practically without protection, in which event the entire expedition would be imperiled, the faster vessels must accommodate themselves to the slower, and, by a process of mutual progress, reach the point of destination at the same time. Hence, to say that under such conditions a swift expedition, even after it has been assembled, is a possibility is to reckon without a due consideration of that important factor.

If, however, for the sake of argument, we assume that the ships have been commandeered, and the troops, guns, and horses of a large force embarked on a rough general plan, after more or less unavoidable delay, the next question inviting attention is that of getting the vessels clear of the harbors into open water, and here we enter the domain of purely nautical discussion, where only seamen can speak with authority. Now no seaman in the world would undertake to empty this huge and motley crowd of shipping out of the basins and pilot it down the long and tortuous estuaries of the German coast.

Of course I must assume that some of the physical conditions which are here involved might not exist with regard to the supposititious expedition which forms the basis of this demand for universal preparedness—

to open sea in less than two, or perhaps even three, high tides, and even then in the general hustle the grounding of a large steamer in a narrow part of the channel might delay the whole exodus for hours.

When all were clear of pilotage waters, however, and fairly in the open, fresh difficulties would arise. The unwieldy armada must either cross independently in a "go as you please" fashion or make the voyage in company. If they crossed independently, the first vessels would anchor off our coasts a full 24 hours before the last and give notice of what was following, thus destroying still further that element of surprise which would be essential to success. It is plain, therefore, that they must keep together somehow, although they could only do so as an unordered mob of ships. It would be just as impossible to form, dispose, and maneuver 200 vessels of different sizes that had never moved together before, and whose masters were destitute of all practice in maneuvering in company, as it would be to put 500 men, taken at random from the streets and placed on a parade ground, through intricate battalion movements forthwith. This mob of ships would probably cover at least 20 miles from van to rear and throw smoke visible for another 10 to 50, according to the state of the atmosphere. They would have to cross lines of trade frequented by neutral shipping and pass through fishing grounds, and could not possibly evade observation unless in a fog, and if a fog set in, their state of danger and confusion would be appalling.

Of course that is obvious. A huge armada proceeding in company, and conveyed by perhaps as many more vessels, overtaken by a thick fog, when dependence would be placed entirely upon sound signals, and these entirely unreliable under such atmospheric conditions—why, Mr. President, we can imagine, from the appalling accident on the New York Central Railroad day before yesterday, as the consequence of a thick fog on land, what the frightful possibilities of disaster would be to such a fleet under such circumstances.

Their speed would be that of the slowest vessel, and her speed itself would be below its own average unless the weather were exceptionally calm, for the wind would be from the westward and therefore against them. It must not be forgotten that landing on an open coast is only possible with the wind blowing offshore—that is to say, a westerly wind as regards our east coast—and unless that were the case the expedition would never start. The speed of the fleet, as a whole, would not therefore exceed 6 or 7 knots.

Without reading further as to that particular subject, Mr. President, I may say that the conclusion of this writer is that such an expedition from the near-by country of Germany to Great Britain would exhaust three weeks at the lowest, and in the event of any casualty the time would be correspondingly extended.

But he proceeds:

But the passage across would not be the least of the nautical difficulties to be faced. If German seamanship proved equal to all these obstacles, a yet further task would await it in the task of anchoring this cumbersome host of shipping in an ordered and prearranged disposition, such as is essential for disembarking a force in the face of an enemy.

He also says:

When a fleet of transports sails for a hostile coast, a detailed plan of anchorage berths has to be prepared beforehand by the admiral commanding the escorting squadron, and issued to each master of a transport before sailing, in order that he may know exactly where he is required to place his ship on arrival. This necessitates, of course, a previous knowledge of the exact point of disembarkation and the features of the coast line.

The italics are mine.

Then he discusses the length of the line necessary for a systematic and safe disembarkation.

When a fleet of 150 to 200 vessels has to be considered such a method of proceeding is out of the question, and the transports would have to pick up their berths independently on arrival as best they could. Two hundred vessels in a single line would cover about 50 miles of coast from wing to wing. In three parallel lines they would cover about 16 miles.

If 300 vessels would be essential for the transportation of 250,000 men with a competent equipment to the coast of the United States, they would, of course, require a third more of coast-line distance, which would be somewhere between 70 and 75 miles for a single line; and three lines are about the maximum number of lines that would be practicable for speedy disembarkation. If four or more lines were used, the outer ships would be so far from the beach that very great delay in landing their troops would ensue. Every half mile farther out means an extra mile from the ships to the beach and back, and when a boat made 10 trips in 24 hours she would cover 10 more miles in that period—a loss of time perhaps quite four hours for every such extra half mile.

I read another extract:

If, in order to avoid this delay, the transports anchored at hazard on arrival, the confusion on the beach would be stupendous.

Fair weather must be assumed throughout as a matter of course.

What possibilities are involved should a storm at sea overtake such a fleet? Fogs are ominous things; a raging storm in a sea thickly peopled with crowded ships would sow death and destruction everywhere, and it would be a miracle if upon a voyage of 3,000 miles no storm would be encountered.

Mr. President, in view of these difficulties, so graphically portrayed by a man evidently a thorough master of the business of transportation at sea, what becomes of this nightmare of a possible over-seas invasion of our defenseless coasts even were the ships collected and the men embarked? I am surprised that some of the obvious difficulties have not long ago suggested themselves to the deliberate judgment of thinking people. But I have observed nothing of the sort.

Let us ask, however, where this expedition, if it comes, would be landed? What would be the point of disembarkation? Of course, if any capacious harbor were available it is obvious that such harbor would be the point. But assuming that there is some sort of defense—and I think the assumption is borne out by existing conditions—that some defensive preparation in and around the different available harbors of the Atlantic coast, then the disembarkation must overcome such defenses or be made along the open shore. "Master Mariner" declares that this requires a number of things in combination—fair weather, a breeze off the shore, and not less than 20 to 25 miles of available frontage, with 3 columns of ships at the farthest, for a relatively speedy and successful disembarkation. Can such a feat be accomplished? If so, we deserve defeat.

I contend that we have at least the nucleus of both Navy and Army. We certainly have paid well for both. Our construction of a navy began with the administration of President Arthur. Its strength in 1909, according to President Roosevelt, was ample. I wish to read an extract from Mr. Roosevelt's last literary production, "Fear God, and Take Your Own Part," page 226. That sounds like an utterance of the Kaiser. Mr. Roosevelt there says:

In February, 1909—

Only seven years ago—

when the battle fleet returned from its voyage around the world, the United States was in point of military—that is, primarily naval—efficiency in such shape that there was no people that would have ventured to attempt to wrong us, and under such circumstances we could afford to keep the Philippines and to continue the work that we were doing. Since then we have relatively to other powers sunk incalculably from a military standpoint; we are infinitely less fitted than we were to defend ourselves.

Of course it may perhaps be assumed that since Mr. Roosevelt ceased to be actively engaged in the affairs of the Nation everything has deteriorated, and particularly the military and the naval arms. If that were true, it were pity; and if it is true it is the most cogent reason why the party to whose embraces he is so anxious to return should receive him with open arms, and strive to make him President of the United States once more.

But, Mr. President, is it true that since 1909 our Navy has deteriorated? I know the libel is made and reiterated and unfortunately believed to some extent throughout the country. Unfortunately, too, some naval authorities have given the weight of their opinions to that assertion. And yet, Mr. President, if it is true, then it must be true also either that we have lost or abandoned a considerable portion of our fleet, or that they have been placed out of commission, or that our strength in men has so deteriorated that our warships are useless because our complement of marines have not been or can not be secured.

I hold in my hand a copy of *Pearsons Magazine* for February, which contains an article entitled "Proof that big navy increase is not needed now," and I will read one or two extracts there published from the testimony regarding our naval strength in December, 1914, by Admirals Fletcher and Badger before the House Committee on Naval Affairs. At that time the late lamented Representative Witherspoon was a member of the House committee and in the full possession of all his wonderful faculties. He has since passed into the great beyond. His death was little short of a public calamity. I think he knew more about naval conditions the world over, including our own, of course, than any other man in public life. He was diligent, earnest, capable, practical, and useful, and as a member of the House Committee on Naval Affairs he was of indispensable value to the people of the United States. He took occasion to closely question these gentlemen regarding our strength at sea. The report is not easily available, the issue having been practically exhausted.

Mr. McCUMBER. On what date?

Mr. THOMAS. This was in December of 1914. The report is of comparatively recent date. Admiral Fletcher, I think, has recently been somewhat conspicuous in giving testimony reflecting upon the strength and personnel of the Navy. On



page 548 of the report occurs the following examination, the subject being the comparative strength of the American and other navies:

Mr. WITHERSPOON. How many battleships has England got? Admiral FLETCHER. According to this table here [indicating] England has 20 dreadnaughts built.

Mr. WITHERSPOON. The total number? How many has she in all? Admiral FLETCHER. This table puts it at 60.

Mr. WITHERSPOON. That is, 60 battleships? Admiral FLETCHER. Sixty battleships.

Mr. WITHERSPOON. I did not ask you about that statement. I have seen that old statement before. I do not care anything about that statement. The Navy Yearbook puts down the number of English battleships completed, building, and authorized at 72. Now, your idea is that if those 72 ships were pitted against ours we would not be able to resist them. Is that it?

Admiral FLETCHER. We could resist them, but we would probably be defeated.

Mr. WITHERSPOON. That is what I mean. We could not resist them successfully?

Admiral FLETCHER. No; all else being equal.

Mr. WITHERSPOON. It has been told this committee by high authority in the Navy Department, among others Admiral Vreeland, that if we had a war with England on account of its relations with other nations in Europe it could not afford to send more than half its ships against us. Do you believe that is so?

The admiral was not disposed to answer that question directly. He said:

That is a question of policy and of political conditions in Europe upon which I would not pretend to pass judgment.

Mr. WITHERSPOON. Then your statement that we could not resist England would be on the assumption that she could send her entire fleet or more than half of it against us?

Admiral FLETCHER. Yes, sir; she would control the sea if she could keep there a more powerful fleet than ours.

Mr. WITHERSPOON. Or not afraid of war with the rest of the world, not afraid to take all the ships away from her own coast, and to send all of them, or a large majority of them, against us? Your statement is based on that?

Admiral FLETCHER. Yes, sir; it is based on actual superiority.

Mr. WITHERSPOON. Well, on the assumption that what other naval experts have told us is correct—that she could not send more than 50 per cent of her 72 against us—you would not say then that we would not be able to resist them successfully, would you?

The admiral replied:

I would not like to pass judgment on a supposititious case of that kind.

And yet that "supposititious case" was based upon other competent naval testimony, common-sense testimony, that neither England nor any other European nation would deprive her coast and her people of the protection of her entire navy in the event of a war with America. It is not only not supposititious but it represents an obvious condition of naval warfare.

But Mr. Witherspoon was persistent:

Now, according to the Navy Year Book, Germany has battleships built, building, and authorized, 39.

I may say, in passing, that we then had 40.

Would you say that, if she could send all those ships against us, we would not be able to resist them?

Admiral FLETCHER. I should say that we ought to, if we have the greater force.

Mr. WITHERSPOON. Yes; we ought to. Certainly we ought; and we could?

Admiral FLETCHER. Yes, sir; the greater force should win.

Mr. WITHERSPOON. Yes; we could.

Admiral FLETCHER. I think so.

Mr. WITHERSPOON. Now, it has been stated to us that if Germany were at war with us she could not afford, either, to send more than one-half her ships against us.

Admiral FLETCHER. That I do not know.

Mr. WITHERSPOON. I am not asking you whether you do or do not. Assuming that she could send only half her 39, would you not say that we could successfully resist that number?

Admiral FLETCHER. Yes, sir; I would say so if all our force is available to meet her.

Mr. WITHERSPOON. I would, too. Now, take France. This Navy Yearbook says that France has a grand total of battleships, built, building, and authorized, of 29—11 less than we have. Would you not say that if she sent all hers against us that we would be able successfully to resist them?

Admiral FLETCHER. Yes; our force available being the greater.

Mr. WITHERSPOON. And if she sent only one-half of them we would not have much of a fight, would we?

Admiral FLETCHER. No; we ought not to.

Mr. WITHERSPOON. That is the way I look at it. Here is Japan, which, according to the Navy Yearbook, has only 19 battleships, or 21 less than we have got. If Japan should send all of her 19 against us, do you not think we would be able successfully to resist them?

Admiral FLETCHER. Yes, I should say, if all of our force were free to meet them at the time.

Mr. WITHERSPOON. And if she did not send but half of them, there would not be much of a scrap, would there?

Admiral FLETCHER. Probably not.

Mr. WITHERSPOON. Now, here is Russia, that the Navy Yearbook says has a grand total of battleships, built, building, and authorized, of 15. If she should send all of them against us, would you not say that we could successfully resist them?

Admiral FLETCHER. Yes, sir.

Mr. WITHERSPOON. And if she sent half of them, there would not be any fight at all, would there?

Admiral FLETCHER. Not much.

Mr. WITHERSPOON. Here is Italy, that has a grand total, according to the Navy Yearbook, of 17 battleships. We could successfully resist them, whether she sent all of them or a part of them, could we not?

Admiral FLETCHER. Yes; I think so.

Mr. WITHERSPOON. Now, Austria-Hungary, according to the Navy Yearbook, has a grand total of battleships, built, building, and authorized, of 10. We could successfully resist them, could we not?

Admiral FLETCHER. I think so.

Mr. WITHERSPOON. Then what nation is there we are not prepared successfully to resist? There is not one on earth, is there, Admiral—not a single one?

Admiral FLETCHER. Well, Judge, I think there is.

Mr. WITHERSPOON. Well, which one? I have gone through the big ones. Tell me which one.

Admiral FLETCHER. I should say that England has a navy so much more powerful than that of any other nation in the world that she could easily keep control of the seas.

Mr. WITHERSPOON. England. Well, what other one, then?

Admiral FLETCHER. I do not think we need greatly fear any other single nation.

But Mr. Witherspoon pressed his question:

Then there is no other country except England that, in your judgment, we could not successfully defend ourselves against?

Admiral FLETCHER. I think that is correct; yes, sir.

And yet, though England concededly entertains no designs of conquest against us, though we can, according to this high authority, successfully defend ourselves against any other country, men who should know better, men high in the confidence of the Nation, persistently and constantly slander and belittle our Navy, abuse and vilify its Secretary, and proclaim from the housetops our utter helplessness should any country declare war against us and embark a hostile force to attack us. This is not patriotism; it is gross commercialism, coining fear into appropriations and apprehension into dividends.

Mr. President, that testimony has not appeared anywhere in any of the recent discussions upon this subject. None of the great newspapers, designed to instruct the people and acquaint them with public affairs, has even referred to it; and yet it is available to all of them.

Then Judge Witherspoon asked the witness if England had any battleships as large as some of ours. Of course, this was before the appearance of the *Queen Elizabeth*.

Admiral FLETCHER. England has many ships which are very nearly of the same power of our own ships of same date of building.

Mr. WITHERSPOON. Let us see about that, now. I do not believe she has, though you know more about it than I do. In this Navy Yearbook, which gives a list of the English battleships, I find that the last five dreadnaughts that England built or is building are named the *Royal Sovereign*, *Royal Oak*, *Remites*, *Revolution*, and *Revenge*, each of which has a tonnage of 26,000.

Admiral FLETCHER. Yes, sir.

Mr. WITHERSPOON. And we have two ships—the *Pennsylvania* and the *No. 39*—which have a tonnage of 31,400, and then we have authorized three more that are to have a tonnage, as I understand, of 31,000.

The CHAIRMAN. Thirty-two thousand.

Mr. WITHERSPOON. Thirty-two thousand tons. In other words, the tonnage of the *Pennsylvania* and *No. 39* is 5,400 tons greater than that of the last five English dreadnaughts that are building, and the last three dreadnaughts that we are building have a tonnage of 6,000 tons greater than the last five English ships. Do you tell me that these English ships are equal to ours?

Admiral FLETCHER. No; I did not say that.

Mr. WITHERSPOON. Do not you regard them as inferior to ours?

Admiral FLETCHER. Yes; as near as we can estimate.

Mr. WITHERSPOON. I do, too. And the armament of these five ships is eight 15-inch guns, while the armament of the five American ships I have referred to is twelve 14-inch guns. Which is the more powerful armament—eight 15-inch guns or twelve 14-inch guns?

Admiral FLETCHER. I think the twelve 14-inch guns more powerful, but I am not sure this opinion is concurred in by all authorities.

Mr. WITHERSPOON. Then, understanding your testimony, after reviewing it, do you want us to understand that England is the only nation on earth that has a navy that we could not successfully resist?

Admiral FLETCHER. I think that is the fair conclusion; yes, sir; at the present time.

Here is a short extract from the testimony of Admiral Badger.

Mr. WARREN. What is the date of that?

Mr. THOMAS. December 14.

Mr. HUSTING. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. THOMAS. I yield.

Mr. HUSTING. I should like to ask the Senator whether the question of speed was taken into consideration as well as the efficiency of our battleships?

Mr. THOMAS. The Senator will have to draw his own conclusion from what I read. There was nothing said on the subject of speed in these extracts. The practical efficiency of our fleet was the subject considered during the course of the witness's examination.

Mr. HUSTING. I merely wish to say that in some article I read very recently it is claimed that the highest speed of American battleships is less than the slowest speed of a first-class battleship of either England or Germany.

Mr. THOMAS. One is apt to hear anything in regard to our Navy now if it is of a derogatory nature. In the popular acceptance of the preparedness propaganda it ought all to go into the scrap heap; we have nothing. What I am reading is something of record, falling from the lips of gentlemen high in our Navy, reluctantly conceding that less than 18 months ago we

had a very respectable Navy and one second only to Great Britain.

Mr. HUSTING. I was merely asking for my own personal information. I wish to state to the Senator that in one of the recent fights, in which the *Bluecher* was sunk, the speed of that boat, I think, was given at 24 knots.

Mr. THOMAS. That was a battle cruiser.

Mr. HUSTING. Yes.

Mr. THOMAS. A battle cruiser, as the Senator from New Hampshire [Mr. GALLINGER] suggests to me, has much more speed than a modern battleship.

Mr. HUSTING. I understood it was claimed there that the lowest speed, as the figures were given, was greater than the highest speed of our vessels, and I merely asked the Senator whether those figures were correctly given or not. It was stated that the slowest boat in that fleet was faster than any boat we have in our Navy.

Mr. THOMAS. I have not much doubt that the slowest cruiser of that particular fleet was faster than any battleship we have or that Great Britain or Germany has. I was not referring to the speed, and my recollection is that no battleship was engaged in that battle. As the Senator from New Hampshire suggests to me, no battleship has yet been engaged in any naval conflict since the outbreak of the war.

Mr. HUSTING. The claim is made that the slowest boat fighting in that battle was faster than any boat we have in the American Navy.

Mr. THOMAS. It may be. I will not pretend to pass on that subject. I freely admit that there are deficiencies in our Navy. Among them is the absence of battle cruisers and transports, which, as the Senator from New Hampshire suggests, we ought to provide for, and which I doubt not we will provide for.

The testimony of Admiral Badger is short and is negative, but valuable. He says:

Mr. WITHERSPOON. Well, I wanted to get your views about that, because I do not like to hear Americans running around and talking about the German Navy being superior to ours. I know it is not so.

Admiral BADGER. You have not heard me say that.

Mr. WITHERSPOON. No; and I am glad that is so. I hope you never will say it, because there is not any truth in it.

Mr. President, the disparagements of our existing Navy are not confined to naval officers. If the statements of some high in authority are to be accepted, but which I question, we have fallen from what was second to what is now fourth place. If this is so, the change has occurred since December, 1914. I am unable to credit the possibility except upon the theory that some of our boats have been retired or that our naval force has fallen off, and, as far as I have been able to follow the testimony before the Committee on Naval Affairs, neither of these things can be said to have occurred. I affirm that the American Navy is competent and is prepared to confront any hostile expeditionary force that may threaten us, and that its development should proceed normally and wholly free from the hysterical and unpatriotic disparagements which self-seeking leagues and associations are circulating about it.

Now, a word as to our coast defenses. The charge has been reiterated that any respectable fleet with hostile designs, under present conditions, could invade our coast, which is practically defenseless, and capture or destroy our large cities, levy tribute upon their citizens, ravish their women, and inflict the greatest calamity upon the Nation that it has ever encountered; and this because we have failed to make due provision for their protection by a proper system of coast defense. Gen. Weaver is at the head of our coast defenses and has been for a great many years. He is a very competent, a very capable, and a thoroughly experienced officer. I asked and he answered the following questions before our committee upon that subject:

Senator THOMAS. I would like to ask you before you leave us how our coast defenses, as constructed at the present time, compare with the coast defenses of other nations?

Gen. WEAVER. I think there is no question, Senator, that our coast defenses are superior to those of any other nation, so far as the matériel is concerned. There is no question about it whatever. The only element, in my opinion, that makes them inadequate now is the shortage of personnel.

Senator THOMAS. You have got the guns, but not the men behind them?

Gen. WEAVER. That is the point, exactly.

Senator THOMAS. Well, I think you ought to have them.

Gen. WEAVER. I will say this, so that I may not be misunderstood: The evolution of gunfire on board warships has developed a type of ordnance that was not contemplated when our fortifications and our guns were mounted, and therefore it is possible at the present time for an enemy's ships to come up and take position beyond the range of our guns and fire at us without our being able to reach them in reply.

Senator THOMAS. You mean changes in trajectory?

Gen. WEAVER. I am going to come to that, so as to make it clear. There are certain places, like the Rockaway Beach and at San Francisco, where it is necessary for us to provide additional fortifications to defend cities. In order to meet the attack of this new naval ordnance against the forts themselves we have a number of surplus 12-inch guns which were intended to replace those guns which are

now mounted in our fortifications; but with the advance of ordnance it is desirable now to substitute a larger caliber and a more powerful gun. Since, however, these 12-inch guns are in existence, it is proposed to take them and to mount them on carriages that will admit of firing them under high angles of elevation, giving a range that is superior to that of any range that can be brought against us. While the projectile is only 12 inches in diameter, and therefore not as large as that of the projectiles of the 15-inch guns mounted on ships of the *Queen Elizabeth* type, still our range will be greater, and with our superior range-finding equipment ashore our fire will be more accurate, and we can contend with advantage against any naval fire that may come against us.

There is the language of the chief of our coast fortifications.

Mr. SHAFROTH. Will the Senator state when that testimony was given?

Mr. THOMAS. It was given the first of the present month or the latter part of February, before the Committee on Military Affairs.

Mr. President, it is true that the equipment in men for our coast defenses is and has been deficient, but with a proper complement of men to man our coast fortifications, there is no more danger of hostile incursions resulting in the wreckage and plunder of any of our great coast cities than there is of a similar catastrophe through an assault by the Swiss fleet upon the fortifications of the city of Denver.

Mr. PHELAN. Will the Senator permit me?

Mr. THOMAS. With pleasure.

Mr. PHELAN. Does the Senator assume that an enemy would seek out the fortified places upon our coasts or make a landing where there was no preparedness against attack?

Mr. THOMAS. I am sorry that the Senator did not do me the honor to attend during the course of my previous remarks upon that subject; and inasmuch as I have spoken now longer than I intended and still have a few things to say, I shall have to refer the Senator to the record of my speech.

Mr. PHELAN. I shall take great pleasure in reading the report of it.

Mr. THOMAS. I may say to the Senator, however, if there is any place that is not either fortified or protected with sea mines or susceptible of swift protection with sea mines and submarines that is entitled to the name of a harbor, I do not know where it is. If the Senator thinks it is possible for any large expeditions to disembark anywhere except at a harbor—an assumption which is freely made these days—I feel reasonably sure that if he will do me the honor to read what I have said on the subject, he will at least be partially reassured.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. The Senator might carry his conclusions a little further than he has done so far. Suppose the shells from one of these battleships should strike one of our defense fortresses, could it have much more effect than merely dislodging the guns?

Mr. THOMAS. Upon the assumption of the correctness of Gen. Weaver's statement—and I think it is entitled to absolute credence—it is inconceivable that it would have a greater effect than that.

Mr. McCUMBER. Suppose that one of the projectiles from our land batteries should strike a warship, what chance would it have of existing after being struck fully and fairly?

Mr. THOMAS. Up to this time the experience of the past has demonstrated that a battleship is more dangerous to its own crew than to the crew of the enemy ships. In other words, more lives have been lost by internal battleship explosions and other accidents than by the destructive forces of an enemy; and there can be no question, owing to the character of the construction, that such a catastrophe as the Senator suggests would result in the annihilation of the ship.

Mr. McCUMBER. Then is it not almost certain that no commander of a battleship would ever engage his ship in a duel of that character?

Mr. THOMAS. Well, if he did he would have to be extraordinarily successful in order to escape a court-martial.

Mr. President, it is a well-known fact that in the accumulation of sea mines and facilities for strewing them, as well as in the matter of submarine construction, we have been making great progress since this war began, and doubtless we shall make much greater progress. I think a commander who would approach within the range of sea mines and possible submarines would be more hazardous and more foolhardy than would be the commander who would make such an attack as the Senator from North Dakota suggested.

Mr. President, our Army is admittedly small. Such has been the policy of our people from the inception of the Government. It is effective, in my judgment, to the extent that in the wisdom of Congress it has been permitted to expand. What we have on



land and on sea has, however, cost the people of this country during the last 15 years more than \$3,500,000,000. Our naval expenditures during that period of time have exceeded those of any other nation in the world, with the single exception of Great Britain.

I have a table showing the naval appropriations of the principal powers from 1900 to 1914 which I will ask leave to insert at this time in connection with my remarks without reading.

The PRESIDING OFFICER. Without objection, that will be done.

The table referred to is as follows:

*Naval appropriations of the principal powers from 1900 to 1914, inclusive.*

Fiscal year.	Great Britain, Apr. 1-Mar. 31.	United States, July 1-June 30.	Germany, April to March.	France, January to December.
1900-1901.....	\$145,792,850	\$61,721,695	\$37,173,074	\$72,683,180
1901-2.....	150,569,190	68,438,301	46,315,800	67,079,011
1902-3.....	150,679,328	82,977,641	48,818,700	59,217,558
1903-4.....	173,548,053	104,126,192	50,544,000	59,740,222
1904-5.....	179,138,049	116,655,826	49,110,300	60,178,623
1905-6.....	161,117,947	109,725,059	54,918,000	61,565,779
1906-7.....	152,954,342	98,392,144	58,344,300	59,514,296
1907-8.....	151,880,617	117,353,474	69,133,500	60,685,813
1908-9.....	156,401,161	120,421,579	80,737,626	62,194,916
1909-10.....	181,636,341	122,247,365	95,047,820	64,899,589
1910-11.....	202,056,258	111,791,980	103,302,773	74,102,439
1911-12.....	211,596,295	133,559,071	107,178,480	80,371,100
1912-13.....	224,443,296	129,787,233	109,989,096	81,692,832
1913-14.....	237,530,459	136,858,301	112,091,125	90,164,625
1914-15.....	260,714,275	141,872,786	113,993,329	123,828,872

Fiscal year.	Russia, January-December.	Italy, July 1-June 30.	Japan, April-March.	Total.
1900-1.....	\$42,101,212	\$23,829,206		\$423,140,230
1901-2.....	45,488,462	23,875,532	\$21,373,954	433,639,620
1902-3.....	50,769,465	23,522,400	17,654,528	489,053,046
1903-4.....	60,018,895	23,522,400	17,553,279	497,477,385
1904-5.....	58,076,543	24,300,000	10,018,024	483,427,831
1905-6.....	60,228,444	24,464,400	11,378,202	485,846,398
1906-7.....	60,703,537	25,965,063	30,072,061	504,706,370
1907-8.....	43,012,186	27,516,454	35,124,346	539,228,793
1908-9.....	49,682,482	30,453,697	39,347,332	589,008,759
1909-10.....	58,059,049	31,812,885	35,005,719	615,253,277
1910-11.....	46,520,465	40,595,204	36,889,158	673,111,187
1911-12.....	56,680,915	40,780,087	42,944,329	716,335,726
1912-13.....	82,019,633	41,893,420	46,510,216	791,808,463
1913-14.....	117,508,637	49,550,147	48,105,152	895,396,083
1914-15.....	128,954,733	56,920,440	69,111,653	

Mr. THOMAS. I am not prepared to admit that all this money has been squandered. Some of those who so contend libel preceding administrations. Of course, their zeal for fat contracts makes that an easy albeit a most disreputable task. That there have been expenditures which were not warranted by a strictly scientific military and naval program no one can doubt. On the other hand, I take pride as an American in asserting that to the extent to which the law has authorized a military organization ours is as good as any other in the world, and to the extent to which we have provided for naval construction we have produced a Navy which, with the exception of deficiencies in transports and battle cruisers, is equal to-day, if not superior, to every navy that is afloat, with the single exception, of course, of that of Great Britain.

We should not forget, Mr. President, that during the past 25 years about 71 cents of every dollar that has come into the Treasury of the United States has been expended upon wars fought and wars expected. This is \$71 out of every \$100 of revenue. Of course, I include payments for pensions and interest on the public debt in the statement.

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. THOMAS. Certainly.

Mr. CHAMBERLAIN. I think it might be well for the Senator to state in this connection that a large proportion of that money has been spent simply because we had not an Army. Take the very large pension appropriation that is made every year. If there had been a proper military policy in vogue at the time the Civil War broke out, that pension appropriation would have been very much diminished, because the 90-day men, and even those serving a shorter enlistment, receive the same pension as men who practically served during the war.

Mr. THOMAS. I have no doubt that is true. I am not criticizing the expenditure; I am merely stating what I understand to be the fact.

Mr. NORRIS. In connection with what the Senator from Oregon has said, I should like to ask the Senator from Colo-

rado if preparation for preparedness had taken place prior to the Civil War would it not have been true that there would have been preparedness on both sides, so that it would not have made any difference? There would have been as much preparedness on one side as the other.

Mr. THOMAS. I can not say as to that. I have not the time either to analyze or to criticize these expenditures. The subject was first called to national attention by Representative Tawney, who at the time was chairman of the House Committee on Appropriations. It was to me a startling fact, and I have heard it reemphasized by competent authorities a number of times since. I use it in this connection for the purpose of calling attention to the fact that we have paid well for what we have gotten, and that we are now about to embark upon a policy where these expenditures will be increased. So I would not be at all surprised if hereafter 80 or 85 cents of every dollar will be used for military or naval purposes. And if we yield to the clamor of militarism our martial establishments will exhaust our total revenues, however large.

Mr. WARREN. Mr. President—

Mr. THOMAS. I yield to the Senator from Wyoming.

Mr. WARREN. The statement made by the Senator from Colorado that 71 per cent has been expended for military and naval purposes has been made before, or rather it has been stated at 70 per cent. As the Senator has stated it, and the first time I ever heard it, it was stated by a former Representative from the Northwest, at that time the chairman of the Committee on Appropriations. I questioned that statement then, and I looked over the estimates and expenses. I am prepared to say that investigation will not prove that that percentage is correct or nearly so.

Among other things, at that time the pension list was very large. Among other things figured in were the salaries of the great number of officers engaged in river and harbor improvements, going on to improve the rivers and lakes and deepen the channels at cities and other points. That was all charged in this computation. Of course we require deep water in certain places for warships, but no one claims that all that is chargeable to military expenditure, because it is for the commerce of the country. There were included a very great number of items and expenses through or by so-called Army appropriations. That was entirely and altogether apart from Army or war support.

There were many other things added, and the alleged percentage, I will state to the Senator, was claimed to be as he has stated. It was questioned by me and by a great many others who have given it some attention. It falls far short of 71 per cent.

Mr. NORRIS. Mr. President—

Mr. THOMAS. I yield.

Mr. NORRIS. In this same connection, I should like to say to the Senator that when that statement was made by the chairman of the Committee on Appropriations of the House, I myself had a computation made by the clerk of the Committee on Appropriations and the item suggested by the Senator from Wyoming was not included. Nothing was included for rivers and harbors. As I remember it now, and I am speaking only from memory, I think that the percentage was 68. It included fortifications; it included the Navy; it included everything, I think, that could be properly chargeable to the past wars or to future preparation for war, but nothing like river and harbor improvements were included.

Mr. WARREN. The Senator does not doubt my statement?

Mr. NORRIS. I have not doubted what the Senator said.

Mr. WARREN. The Senator stated that he made it but 68 per cent. The statement I figured on, of Mr. Tawney's, was 70 per cent. I say, in making that, they did include such items as I mentioned. They may not have been included in the statement of the Senator.

Mr. NORRIS. I have not denied that. I simply wanted to interject here what I believe to be the real statement upon which a proper percentage could be based. I did not want the impression to go out that in the right kind of an estimate river and harbor improvements were included. I do not know anything about what the Senator from Wyoming included. I know what I used in the computation I made, and I know what the result was.

Mr. GORE. Mr. President, I should like to say in this connection that the leader of the majority party of the other House, Mr. KIRCHIN, recently issued a statement in which he estimated our expenditures for military purposes—past, present, and prospective—at 60 per cent of our entire revenue. The proportion in Germany, I think, was 55 per cent; in Japan, 45 per cent; in France, 35 per cent; and in Great Britain, 37 per cent, as I recall it, the ratio of this country being larger than

that of any other country, military or nonmilitary, in the entire world. These estimates were based on expenditures prior to the outbreak of the present war.

Mr. THOMAS. The percentage which I gave may not have been precisely that announced by Mr. Tawney; the entire statement may not stand the test of investigation, but to my mind it is a remarkable fact that a statement coming from such a high source so many years ago, if untrue, should not have been exposed, or at least publicly challenged, long ago. I mention it in connection with the subject of the items of expenses which any new departure upon military and naval lines will necessarily require, and also because these things are apt to grow by what they feed on. In fact, the proposition of large preparedness—militarism, if I may so speak—is very much more extensive now than it was when the subject began to receive the serious consideration of the public.

Mr. WARREN. There has been a large portion of the expense of the National Government in military affairs, and probably always will be with all nations. In fact, most of the expenses of government in this country are carried on by the several States, and there is not so much left for the United States Government except the matter of fortifications and military defenses. In the last decade or two we have had to put in all the fortifications that we have, either new or rebuilt. The Senator will remember that we laid out the work expected to the extent of \$100,000,000 succeeding the war, and yet twice as much more has been necessary in constructing fortifications where none existed before or where imperfect ones only existed. It was the same with the Navy. We had no Navy of consequence for many years, so that the expenditures have been larger of later years along that line.

Then came the Spanish War and the increase of our forces. Then came the buildings, the difference between housing 25,000 men and 100,000 men. So the expenditures have been larger of late years than they proportionately would be over a long period, and they may have been larger than they will be in the future. That they have been larger than they will be in the future I doubt, because from the remarks made by the Senator, which he so well put, we will feel it necessary to increase our fortifications perhaps and to increase our mobile Army, and perhaps increase our Navy; but, as I said before, we must remember that that is bound to be the main expense of the United States Government as a Government.

Mr. THOMAS. Mr. President, I must again say that I am neither criticizing nor complaining of the fact, if it be a fact, which I have been stating. I am trying to point a moral, if not to adorn a tale, to emphasize the fact that these expenditures are apt to permanently increase by the increasing demand for first one and then another enlargement of our military or our naval equipment. I think this is illustrated very well by a comment of the New York World upon the proposed establishment of a small army in the Canal Zone. The editorial is entitled "Round and round," and it was prompted by the assertion that an army of 25,000 men was needed for the purpose of protecting our fortifications there against a land attack. I read the editorial. It is very short:

#### ROUND AND ROUND.

The building of the Panama Canal by the United States was advocated on the ground that it would double the strength of the Navy.

The canal was only about half built when the experts found that it must be heavily fortified to protect the Navy in protecting it.

The canal has now been fortified with what Gen. Edwards, military governor of the Canal Zone, calls the biggest guns and finest gun placements in the world. But these might be seized by an enemy operating from the land side, and therefore need the protection of an army of 25,000 men on the spot all the time.

Where is this chain of successive and "essential" dependencies to reach an end? If the canal must have a strong Navy to protect it, and if the strong Navy must have big canal fortifications to protect the Navy in protecting the canal, and if the big fortifications must have a sizable Army to protect the fortifications in protecting the Navy in protecting the canal, who or what is to protect the sizable Army in protecting the fortifications in protecting the Navy in protecting the canal?

There is a "round robin" of expenditures which, if we once begin a policy of military and naval equipment based upon fear and apprehension, will exhaust our revenues much more than the 71 per cent to which I directed the attention of the Senate.

Mr. WARREN. I do not wish to delay the remarks of the Senator, but I think he will agree with me that quite a large percentage of the so-called military expense is that which ought not to be properly charged to actual military expense, for instance, the Panama Canal. The Senator may remember what proportion was charged to the War Department in respect to the canal. There was the cleaning up of Habana, the work of putting in an expensive road system in Cuba and Alaska, and putting in the telegraph system there. All of it has been put in by the Army, and such work is being done practically all over

the country. Where officers are in charge of that work it is charged to the Military Establishment.

Let me at this point submit a partial list of many things charged up as military, which, as a matter of fact, are in nowise expenses properly chargeable to military:

Sanitary work at Habana, Cuba—doing away with yellow fever.

Payment of annuities to an enlisted man, and the widows of certain medical officers who sacrificed themselves to the yellow-fever experiments.

Sanitary work in Panama Republic outside of Canal Zone. Work of medical officers with American National Red Cross. Furnishing of subsistence, clothing, tentage, blankets, and so forth, from quartermaster supplies of Army to sufferers and refugees from various earthquakes, floods, and fires.

Raising the *Maine*. (While this followed and was incident to war, the work and expense were incurred not only for sentimental reasons, but for the safety of commerce in Habana Harbor.)

Furnishing of transportation, subsistence, and medical supplies of Army for relief of destitute American citizens in Mexico, including transportation to their homes in the United States.

Extensive reclamation work in China, by officer of Corps of Engineers, Army, for the prevention of floods and resultant famines in China.

Employment of officers, employees, vessels, and supplies of Military and Naval Establishments for relief, protection, and transportation of American citizens in Europe during the existing political disturbance there.

Care and maintenance of lepers and special patients in Guam and Cullon, P. I.

Instructing the youth of the country at various universities and colleges, and instructing students at the two United States academies in nonmilitary subjects.

Assisting in the civil government of the Philippines.

Employment as Indian agents and superintendents.

Employment on California Débris Commission, and various other nonmilitary commissions.

Employment in rivers and harbors work.

Employment in construction of Panama Canal.

Investigating proposed sites for Government reclamation projects.

Employment as engineer commissioner of District of Columbia.

Building military and post roads, bridges, and trails in Alaska.

Building telegraph and telephone lines in Alaska, for commercial purposes, which have earned hundreds of thousands of dollars.

Employment of engineer officer for service in connection with the location and construction of the Alaskan Railroad.

Building and maintaining roads, bridges, and so forth, in the parks of the District of Columbia, for the use and pleasure of the people.

Employment as superintendent of public buildings and grounds in and around Washington.

Employment of Army engineers in connection with maintenance and improvement of roads, bridges, culverts, and so forth, in various national parks both in and out of the District of Columbia.

Preservation and purchase of specimens for the Army Medical Museum and Library, used for educational purposes by civilian physicians and others.

Building of Washington Monument.

Building of Cabin John Bridge.

Reclamation and development of Anacostia River and flats, under supervision of Chief of Engineers of the Army.

Maintenance and care of national cemeteries, containing bodies of many persons (widows and others) who performed no military service for the country; and furnishing headstones for unmarked graves of civilians in military post cemeteries.

Participation of officers and men of Army, Navy, and Marine Corps in various international and other expositions of commercial nature.

Mr. SHAFROTH. I should like to ask the Senator from Wyoming a question.

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. THOMAS. Certainly.

Mr. SHAFROTH. The Senator from Wyoming has been upon the Committee on Military Affairs for many years, and I should like to have his estimate as to the proportion of expenditures for preparation for war and for past wars as compared with the total expenditures of the Government.

Mr. WARREN. Well, in my opinion, the miscellaneous matters are really not properly chargeable to war expenditures,



and they would reduce the percentage which the Senator has stated from 12 to 15 per cent or more.

Mr. CHAMBERLAIN. Let me answer the Senator.

Mr. SHAFROTH. So that it would be 55 per cent.

Mr. WARREN. I think it would be possibly 50 per cent. I think it will be more than that in the future if we provide a sufficient Army. We might as well meet these questions fairly and squarely.

Mr. CHAMBERLAIN. Mr. President, in answer to the Senator, I will say that I have before me a copy of the statement that has been prepared by the clerk of the Appropriations Committee, showing the appropriations for the fiscal years from 1875 to 1916, inclusive, for each of the services, for each of the departments—and I assume that he has correctly prepared it—showing that, as a basis, I will say to the Senator, that in round numbers the appropriations for 1916 were \$421,000,000 for the Army and Navy for fortifications and for pensions, and \$164,000,000 of that sum, in round numbers, was for pensions, leaving \$257,000,000 that was properly expendable for the Army out of a total appropriation of \$991,000,000, in round numbers. This tabulated statement gives the appropriations for all of these years. So, if this be true, the proportion is very much less. It is not 50 per cent.

Mr. WARREN. Undoubtedly that is true, and I am allowing for pensions and all that may be charged, though some of them are really not properly chargeable.

Mr. SHAFROTH. I ask the Senator whether that nine hundred and some odd million dollars of total revenues includes the postal receipts?

Mr. CHAMBERLAIN. This is just an itemized statement of appropriations; it does not give the items of receipts.

Mr. SHAFROTH. Does it include appropriations for the Postal Service?

Mr. CHAMBERLAIN. It includes everything. It includes the Agricultural Department, the Army, the Diplomatic and Consular Service, the District of Columbia, fortifications, the Indian Service, the legislative appropriations, the Military Academy, the Navy, pensions, including deficiencies, the Post Office Department, rivers and harbors, and sundry civil appropriations.

Mr. SHAFROTH. The Post Office Department, supposing it to be self-supporting, is usually not put in as a governmental expenditure.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SUTHERLAND. Mr. President, it seems to me that all of these comparisons of the proportion of our revenue which is spent for military purposes are, to a certain extent at least, very misleading. The Senator from Oklahoma a moment ago stated that we were spending a very much larger proportion of our revenue for military purposes than was England or Japan or France.

Mr. GALLINGER. Or Germany.

Mr. SUTHERLAND. I speak of those three. I do not need to remind the Senator from Colorado of it, because he recognizes that those Governments are altogether different from ours. They have, unless for purely local purposes, but a single budget. Out of their revenues all of the general expenses of government must be met, while in the United States we have a dual form of government. If we were to institute a fair comparison, we should ascertain what proportion of all the public revenues of the National Government and of the State governments are spent for military preparation. If we should do that, we would find that the proportion of our expenditures for military purposes would fall far below what is expended in these other countries.

The Federal Government has limited functions. Most of the affairs of government are carried on by the States. Schools are maintained, roads are built and kept in operation, and the hundred and one functions of domestic government are carried on by the individual States instead of by the General Government, while in the case of England, in the case of France, and in the case of Japan there is a single treasury from which the general expenditures must be made.

Mr. THOMAS. Mr. President, I still decline to be beguiled into a criticism or a discussion or an analysis of the statement which I made, the authority for which I have given. I am aware that the subject is one of importance, but I simply mentioned it, almost in passing from one subject to another, and because I thought, and still think, that it has some bearing upon the relation of expenditures to our proposed new military and naval organizations.

I regard the matter of expenditure as second in importance to no other feature of our program. It is true that the distinguished ex-President of the United States dismisses the subject with the flippant remark that it is of only secondary consideration; but we have to raise the money and therefore it is well to understand that the proposed extension, although insignificant in the eyes of the average militarist, will impose upon the tax-paying people of this country an additional expense of not less than \$150,000,000 to \$250,000,000 a year to begin with; and those of us who are responsible, as representing the administration, for the raising of this revenue must necessarily consider it in conjunction with the question of necessity as contrasted with the question of the expediency of our action upon these mighty subjects of present importance.

Mr. President, I believe I have established the proposition that the menace of a foreign invasion, the existence of an impending peril of tremendous dimensions just across the eastern horizon and threatening us with devastation, compared with which that of the Goths and Vandals of other times was as nothing, simply exists as an asset in the skillful hands of those whose purposes are more largely material than patriotic. But there are reasons, perfectly cogent ones, why this country should rearrange and strengthen its military and naval organizations.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I yield.

Mr. GALLINGER. In that connection, I will ask the Senator from Colorado if he has read the statement of Gen. Miles made before the Military Committee only a few days ago?

Mr. THOMAS. I heard it.

Mr. GALLINGER. In that statement Gen. Miles scouts the idea of any nation in the world being able to invade our coasts and to defeat our armies on American soil.

I will say, before I proceed further, that I propose to follow the Committee on Military Affairs, so far as I can, in the bill that they have with such great care prepared. I am neither an alarmist nor a pacifist. I think we ought to have adequate preparedness, so called; but if Gen. Miles is at all correct in his testimony we need not be unduly alarmed over the possibility of our coasts being invaded by a hostile fleet or a hostile army.

If the Senator from Colorado will permit me, I should like to read just a few words from what Gen. Miles said.

Mr. THOMAS. I have no objection to the Senator doing so.

Mr. GALLINGER. Gen. Miles was asked by the Senator from Florida [Mr. FLETCHER]:

#### GEN. MILES ON THE DANGER OF INVASION.

Senator FLETCHER. General, perhaps you would not want to express any opinion about it, but, frankly, it seemed to me rather far-fetched and absurd that it was a feasible thing for an army to be transported across the ocean and landed on Rockaway Beach, or Block Island, in such way that it could take that portion of the country and then come on down and string a 400-mile line from Chesapeake Bay to Lake Ontario. That is one of the important dangers, apparently, in the minds of some people. I would like to get your views about that, if you care to express them.

Gen. MILES. I dislike to give my views on that, as I consider it an unreasonable and impossible proposition. \* \* \* The placing of an army on American soil is the last thing any European Government would attempt; it could never be reembarked. It would dissolve like snow beneath the midday sun. Whenever it has been attempted it has resulted in disaster.

Senator FLETCHER. It would be impossible for the enemy's ships to carry coal enough to bring them over here and take them back, would it not?

Gen. MILES. If the enemy could not be destroyed by the patriotism and valor of the American people before they could send their ships back and get another load, then I would want to live in some other country.

And a note on this slip which I hold—I admit it has been issued by an antimilitary organization—is very impressive to me. It says:

At the outbreak of the war it took Great Britain, with full control of the seas, 33 days to transport 30,000 men, without equipment, across the Atlantic from Quebec to Southampton.

As I said before, Mr. President, I am for preparedness; but I do not share the apprehensions that I think were in the mind of the Senator from California when he asked the question a little while ago as to whether or not we could repel an army if it should come across the ocean and attack our forts and our seacoasts. I apprehend that, while such an army was coming here, if it took Great Britain 33 days to send 30,000 men across the ocean to reenforce the British Army in the European war, we would be pretty well prepared to meet an army before it invaded our territory. We would have our submarines, if we are wise enough to build some; we would have our mines; we would have our battleships; we would have made all our preparations to give them a warm welcome as they approached our coast. I think probably we would be able to protect ourselves from an invasion of that kind.

Mr. BRANDEGEE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. THOMAS. I am becoming somewhat weary, and I had no intention when I took the floor this morning of occupying it for so long a time. I have comparatively little more to say, and while I always welcome interruptions I want to get through sometime. However, I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I simply wish to say with reference to the statement just read by the Senator from New Hampshire [Mr. GALLINGER] that I have seen it stated in print, which is of equal authority with the print which the Senator read from, that the reason it took Great Britain 33 days to move those troops to which he referred was that the troops were not ready to move before that time, and not because the authorities were embarrassed about facilities for moving them.

Mr. THOMAS. Another reason was that the ships were not ready, as they never are ready in emergencies such as are assumed to confront us at the present time.

Mr. President, I believe that we should have a good Army and a good Navy, including coast defenses. I believe that we should utilize the present occasion to begin, I will not say a new, but a more extended and well-reasoned policy with regard to these great subjects. The reasons why we should do so seem to me to be obvious. But one of them may be said to be the outgrowth of the great war in Europe.

These reasons appeal to me as being, first, that we are a great commercial Nation; that commerce we propose to expand until it again reaches every quarter of the globe. Commerce breeds differences—that of one nation can increase only at the expense of another. I think that in its final analysis the prime cause of the existing conflict will find its roots in commercial sources and commercial conflicts. With the expansion and extension of our commerce we must have a Navy sufficiently powerful to protect the rights of our citizens and establish justice for every interest which pertains to America and Americans.

We are, moreover, through the announcement of the Monroe doctrine, the guardian of the Western Hemisphere, and that guardianship, Mr. President, has been extended in many directions, some of which never could have been foreseen by those who enunciated that doctrine. It has been necessary for us to take control of the financial affairs of some of the weaker powers upon this continent, to assume some influence in their general policies everywhere, and, as time advances, these obligations will doubtless increase and conditions will present themselves which will make it necessary either that we recede from or insist upon a more active recognition of this doctrine; indeed, I think it is safe to say that, but for the outbreak of the war, that contingency would have arisen before now. The public possesses the information which leads me to make that statement and I need not enlarge upon it.

Moreover, we have insular possessions which must be safeguarded. Those outlying possessions would be the first to feel the effect of foreign conflict or foreign aggression. In order to reach them, and reach them speedily if necessary, we must have a navy powerful in its structure and in its equipment, and a land force sufficiently formidable to accompany, for purposes of defense, any naval excursion made necessary for the protection of any of our insular possessions.

Moreover, Mr. President, overpopulated nations must find an outlet somewhere. Some of the nations of the earth are to-day overcrowded, with no sign of a diminution of the ever-increasing number of their inhabitants. They necessarily burst their bonds in obedience to an inexorable law of natural expansion, and if these outlets are directed toward the Western Hemisphere they must be either prevented or controlled by the Government of the United States.

Mr. President, there is no question that every nation in the world is to a greater or less degree involved in the conflict now raging in Europe and Asia. Neutrality is in some respects an abstract term. So great a conflict as this, with its ramifications extended in every direction, necessarily comes in contact with, if, indeed, it does not frequently overlap, the rights and interests of neutral nations. Ours is the only great power not directly involved in the conflict, and it may be that in a week, in a day, possibly in an hour, some crisis may overtake us which may make it absolutely necessary to go beyond the point where we can find safety with honor in maintaining peaceful international relations. God grant that such a time as that and such a crisis may never come; but that nation is indeed indifferent which, in view of the experiences of the last 14 months, does not perceive the possibilities which make preparation to a certain degree an inevitable and predominant duty.

So, Mr. President, while the propaganda of universal preparation may well be regarded as a call to the trough instead of a

call to the trenches, the sober, reflective judgment of the people of this country overwhelmingly approves of the intention of the Sixty-fourth Congress, without regard to party or to personal differences as to details, to meet and recognize and perform this duty, and perform it with such expedition as its importance justifies.

I regret, Mr. President, that the many so-called defense societies, journals, associations, and other institutions which have been holding meetings, listening to frenzied speeches, and passing resolutions denouncing and instructing us, proclaiming our dire needs and more dire helplessness, have none of them suggested a method of raising the revenue needed for their purposes. We have been told that our Atlantic and Pacific coasts were exposed and defenseless; we have been told that we needed a Navy equal to that of the greatest navy afloat, and that our Army should be swelled to millions of active, militant soldiers; and yet, so far as I can remember, not one of these associations or leagues, not one of these conventions, has given the slightest consideration to the financial side of the problem, or if they have they have kept their views to themselves, leaving us to flounder along as best we may. This is a part of the problem also, Mr. President, which this Congress must determine and, unfortunately, must rely upon its own views as to details because of the absence of any outside suggestions.

Economy should be practiced by the Nation, but, unfortunately, I see no signs of it on either side of this or the other Chamber. If there is any tendency toward the reduction of expenditures in any direction, I should be very glad if some Senator would interrupt me and point it out. If there has been any diminution in the appropriations either for necessary objects or for matters which might well be left to a more propitious time, I have been unable to perceive it. Mr. President, this lack of economic forethought is due not so much, in my judgment, to the good intent of Senators and Representatives as it is to the insistent demands of their several constituencies. The man who preaches and attempts to practice economy in public life is disliked by his associates, but it is equally true that if he attempts to put his purposes into effective operation he must look for repudiation by those whom he represents.

The amount of added revenue which we are obliged, therefore, to raise must be taken in connection with the certain fact that there will be no corresponding reduction of public expenditures; in other words, we are going right ahead, every department of Government in full blast, and every possible appropriation to be made just as heretofore. The raising of millions of dollars necessary to meet these urgent additional needs which can not be postponed or disregarded will, I regret to say, be accompanied by no reductions in the public expenditures.

For one, Mr. President, I am prepared to take my share of the responsibility. I stated at the outset that I had no sympathy with the extremists, however conscientious and sincere, upon this question, whether it be in the direction of military preparedness or no preparedness at all. I love peace, Mr. President, as dearly as any man on earth. In my earlier years I had some bitter experiences with war, and I know full well its horrors and its consequences; but I am not vain enough, Mr. President, to believe that human nature will ever so change that "wars and rumors of wars" will cease to ebb and flow with the tides of civilization. We can only strive to make our wars, if wars there are to be, just and unavoidable ones. Let us avoid them, if this is consistent with duty and with honor, with the maintenance of our national self-respect and our obligations to mankind. Such wars are frightful and horrible to contemplate. But, Mr. President, such wars have their compensation in the spiritual values which spread from them like a benediction. Who can estimate the far-reaching, the priceless spiritual values of the War between the States to this Nation? It is beyond all estimate. It has consecrated the North and the South to the destiny of a single people; it shines through eyes that are filled with tears of suffering and of sacrifice, and clusters around battle flags scarred and grimed with conflict; it rises from the grave of every soldier and lifts us into an atmosphere redolent with the aroma of nationalism. Its memories are as sacred as they are precious. It is worth all that it cost our people, and will ever give courage to those who may falter in their guardianship of justice and of liberty. Our Nation is dedicated to the rights of man, to the arts of peace, and to the regeneration of the world. Our example should be commensurate with our ideals; but, Mr. President, until all the nations shall reach this high plane of lofty purpose peace may fly on frightened wings to other lands and we may become involved in war's deadly circuit. We must therefore shape our policies and make our preparations as the experiences of the past demand,



not for conquest, nor yet for glory, but that our loins may be girded for whatever ordeal the future may provide for us.

I shall support this bill, Mr. President, in the main. I feel sure it will have in its favor the preponderance of public sentiment and that in its practical operation it will give general satisfaction.

#### APPENDIX.

##### DEMOCRACY IN AMERICA. [By Alexis de Tocqueville.] (Vol. 2, chap. 22.)

##### WHY DEMOCRATIC NATIONS ARE NATURALLY DESIROUS OF PEACE AND DEMOCRATIC ARMIES OF WAR.

The same interests, the same fears, the same passions which deter democratic nations from revolutions deter them also from war; the spirit of military glory and the spirit of revolution are weakened at the same time and by the same causes. The ever-increasing numbers of men of property—lovers of peace, the growth of personal wealth which war so rapidly consumes, the mildness of manners, the gentleness of heart, those tendencies to pity which are engendered by the equality of conditions, that coolness of understanding which renders men comparatively insensible to the violent and poetical excitement of arms, all these causes concur to quench the military spirit. I think it may be admitted as a general and constant rule that amongst civilized nations the warlike passions will become more rare and less intense in proportion as social conditions shall be more equal. War is nevertheless an occurrence to which all nations are subject, democratic nations as well as others. Whatever taste they may have for peace they must hold themselves in readiness to repel aggression, or, in other words, they must have an army.

Fortune, which has conferred so many peculiar benefits upon the inhabitants of the United States, has placed them in the midst of a wilderness where they have, so to speak, no neighbors; a few thousand soldiers are sufficient for their wants; but this is peculiar to America, not to democracy. The equality of conditions and the manners, as well as the institutions resulting from it, do not exempt a democratic people from the necessity of standing armies; and their armies always exercise a powerful influence over their fate. It is therefore of singular importance to inquire what are the natural propensities of the men of whom these armies are composed.

Amongst aristocratic nations, especially amongst those in which birth is the only source of rank, the same inequality exists in the army as in the nation; the officer is noble, the soldier is a serf; the one is naturally called upon to command, the other to obey. In aristocratic armies the private soldier's ambition is therefore circumscribed within very narrow limits. Nor has the ambition of the officer an unlimited range. An aristocratic body not only forms a part of the scale of ranks in the nation, but it contains a scale of ranks within itself; the members of whom it is composed are placed one above another in a particular and unvarying manner. Thus one man is born to the command of a regiment, another to that of a company; when once they have reached the utmost object of their hopes they stop of their own accord and remain contented with their lot. There is, besides, a strong cause, which in aristocracies weakens the officer's desire of promotion. Amongst aristocratic nations an officer, independently of his rank in the army, also occupies an elevated rank in society; the former is almost always in his eyes only an appendage to the latter. A nobleman who embraces the profession of arms follows it less from motives of ambition than from a sense of the duties imposed on him by his birth. He enters the army in order to find an honorable employment for the idle years of his youth, and to be able to bring back to his home and his peers some honorable recollections of military life, but his principal object is not to obtain by that profession either property, distinction, or power, for he possesses these advantages in his own right and enjoys them without leaving his home.

In democratic armies all the soldiers may become officers, which makes the desire of promotion general and immeasurably extends the bounds of military ambition. The officer, on his part, sees nothing which naturally and necessarily stops him at one grade more than at another, and each grade has immense importance in his eyes, because his rank in society almost always depends on his rank in the army. Amongst democratic nations it often happens that an officer has no property but his pay and no distinction but that of military honors; consequently as often as his duties change his fortune changes and he becomes, as it were, a new man. What was only an appendage to his position in aristocratic armies has thus become the main point, the basis of his whole condition. Under the old French monarchy officers were always called by their titles of nobility; they are now always called by the title of their military rank. This little change in the forms of language suffices to show that a great revolution has taken place in the constitution of society and in that of the army. In democratic armies the desire of advancement is almost universal; it is ardent, tenacious, perpetual; it is strengthened by all other desires, and only extinguished with life itself. But it is easy to see that of all armies in the world those in which advancement must be slowest in time of peace are the armies of democratic countries. As the number of commissions is naturally limited, whilst the number of competitors is almost unlimited, and as the strict law of equality is over all alike, none can make rapid progress—many can make no progress at all. Thus the desire of advancement is greater and the opportunities of advancement fewer there than elsewhere. All the ambitious spirits of a democratic army are consequently ardently desirous of war, because war makes vacancies and warrants the violation of that law of seniority which is the sole privilege natural to democracy.

We thus arrive at this singular consequence: That of all armies, those most ardently desirous of war are democratic armies, and of all nations, those most fond of peace are democratic nations; and what makes these facts still more extraordinary is that these contrary effects are produced at the same time by the principle of equality.

All the members of the community, being alike, constantly harbor the wish and discover the possibility of changing their condition and improving their welfare; this makes them fond of peace, which is favorable to industry and allows every man to pursue his own little undertakings to their completion. On the other hand, this same equality makes soldiers dream of fields of battle by increasing the value of military honors in the eyes of those who follow the profession of arms and by rendering those honors accessible to all. In either case the inquietude of the heart is the same, the taste for enjoyment as insatiable,

the ambition of success as great; the means of gratifying it are alone different.

These opposite tendencies of the nations and the army expose democratic communities to great dangers. When a military spirit forsakes a people, the profession of arms immediately ceases to be held in honor, and military men fall to the lowest rank of the public servants; they are little esteemed, and no longer understood. The reverse of what takes place in aristocratic ages then occurs; the men who enter the army are no longer those of the highest but of the lowest rank. Military ambition is only indulged in when no other is possible. Hence arises a circle of cause and consequence from which it is difficult to escape; the best part of the nation shuns the military profession because that profession is not honored, and the profession is not honored because the best part of the nation has ceased to follow it. It is, then, no matter of surprise that democratic armies are often restless, ill-tempered, and dissatisfied with their lot, although their physical condition is commonly far better and their discipline less strict than in other countries. The soldier feels that he occupies an inferior position, and his wounded pride either stimulates his taste for hostilities, which would render his services necessary, or gives him a turn for revolutions, during which he may hope to win by force of arms the political influence and personal importance now denied him. The composition of democratic armies makes this last-mentioned danger much to be feared. In democratic communities almost every man has some property to preserve; but democratic armies are generally led by men without property, most of whom have little to lose in civil broils. The bulk of the nation is naturally much more afraid of revolutions than in the ages of aristocracy, but the leaders of the army much less so.

Moreover, as amongst democratic nations (to repeat what I have just remarked) the wealthiest, the best educated, and the most able men seldom adopt the military profession; the army, taken collectively, eventually forms a small nation by itself, where the mind is less enlarged and habits are more rude than in the nation at large. Now, this small, uncivilized nation has arms in its possession, and alone knows how to use them; for, indeed, the pacific temper of the community increases the danger to which a democratic people is exposed from the military and turbulent spirit of the army. Nothing is so dangerous as an army amidst an unwarlike nation; the excessive love of the whole community for quiet continually puts its constitution at the mercy of the soldiery.

It may therefore be asserted, generally speaking, that if democratic nations are naturally prone to peace from their interests and their propensities, they are constantly drawn to war and revolutions by their armies. Military revolutions, which are scarcely ever to be apprehended in aristocracies, are always to be dreaded amongst democratic nations. These perils must be reckoned amongst the most formidable which beset their future fate, and the attention of statesmen should be sedulously applied to find a remedy for the evil.

When a nation perceives that it is inwardly affected by the restless ambition of its army the first thought which occurs is to give this inconvenient ambition an object by going to war. I speak no ill of war; war almost always enlarges the mind of a people and raises their character. In some cases it is the only check to the excessive growth of certain propensities which naturally spring out of the equality of conditions, and it must be considered as a necessary corrective to certain inveterate diseases to which democratic communities are liable. War has great advantages, but we must not flatter ourselves that it can diminish the danger I have just pointed out. That peril is only suspended by it, to return more fiercely when the war is over, for armies are much more impatient of peace after having tasted military exploits. War could only be a remedy for a people which should always be athirst for military glory. I foresee that all the military rulers who may rise up in great democratic nations will find it easier to conquer with their armies than to make their armies live at peace after conquest. There are two things which a democratic people will always find very difficult—to begin a war and to end it.

Again, if war has some peculiar advantages for democratic nations, on the other hand it exposes them to certain dangers which aristocracies have no cause to dread to an equal extent. I shall only point out two of these. Although war gratifies the army, it embarrasses and often exasperates that countless multitude of men whose minor passions every day require peace in order to be satisfied. Thus there is some risk of its causing under another form the disturbance it is intended to prevent. No protracted war can fail to endanger the freedom of a democratic country. Not, indeed, that after every victory it is to be apprehended that the victorious generals will possess themselves by force of the supreme power, after the manner of Sylla and Cæsar; the danger is of another kind. War does not always give over democratic communities to military government, but it must invariably and immeasurably increase the powers of civil government; it must almost compulsorily concentrate the direction of all men and the management of all things in the hands of the administration. If it lead not to despotism by sudden violence, it prepares men for it more gently by their habits. All those who seek to destroy the liberties of a democratic nation ought to know that war is the surest and the shortest means to accomplish it. This is the first axiom of the science.

One remedy, which appears to be obvious when the ambition of soldiers and officers becomes the subject of alarm, is to augment the number of commissions to be distributed by increasing the Army. This affords temporary relief, but it plunges the country into deeper difficulties at some future period. To increase the Army may produce a lasting effect in an aristocratic community, because military ambition is there confined to one class of men, and the ambition of each individual stops, as it were, at a certain limit; so that it may be possible to satisfy all who feel its influence. But nothing is gained by increasing the Army amongst a democratic people, because the number of aspirants always rises in exactly the same ratio as the Army itself. Those whose claims have been satisfied by the creation of new commissions are instantly succeeded by a fresh multitude beyond all power of satisfaction; and even those who were but now satisfied soon begin to crave more advancement; for the same excitement prevails in the ranks of the Army as in the civil classes of democratic society, and what men want is not to reach a certain grade, but to have constant promotion. Though these wants may not be very vast, they are perpetually recurring. Thus a democratic nation, by augmenting its army, only allays for a time the ambition of the military profession, which soon becomes even more formidable, because the number of those who feel it is increased. I am of opinion that a restless and turbulent spirit is an evil inherent in the very constitution of democratic armies and beyond hope of cure. The legislators of democracies must not expect to devise any military organization capable by its influence of calming and restraining the military



profession; their efforts would exhaust their powers before the object is attained.

The remedy for the vices of the Army is not to be found in the Army itself, but in the country. Democratic nations are naturally afraid of disturbance and of despotism; the object is to turn these natural instincts into well-digested, deliberate, and lasting tastes. When men have at last learned to make a peaceful and profitable use of freedom, and have felt its blessings—when they have conceived a manly love of order and have freely submitted themselves to discipline—these same men, if they follow the profession of arms, bring into it, unconsciously and almost against their will, these same habits and manners. The general spirit of the nation being infused into the spirit peculiar to the army, tempers the opinions and desires engendered by military life, or represses them by the mighty force of public opinion. Teach but the citizens to be educated, orderly, firm, and free, the soldiers will be disciplined and obedient. Any law which, in repressing the turbulent spirit of the army, should tend to diminish the spirit of freedom in the nation, and to overshadow the notion of law and right would defeat its object; it would do much more to favor, than to defeat, the establishment of military tyranny.

After all, and in spite of all precautions, a large army amidst a democratic people will always be a source of great danger; the most effectual means of diminishing that danger would be to reduce the army, but this is a remedy which all nations have it not in their power to use.

**Mr. CHAMBERLAIN.** Mr. President, yesterday the Senate adopted an order authorizing the printing in parallel columns of House bill 12766 and Senate bill 4840, concerning the national defense. The printing clerk advises me now that it is found impossible to print these bills in parallel columns, for the reason that one section of the House bill, for instance, may be involved in a half dozen sections of the Senate bill and vice versa. It would involve an expense of several hundred dollars, and would not assist the Senate at all if we simply printed the bills in parallel columns, without paralleling the subject matter of each bill, and that is the impossible thing to do. Therefore, unless the Senate objects, I should like to ask that the vote by which the order was made be reconsidered.

**The VICE PRESIDENT.** Without objection, the vote is reconsidered, and the order is rescinded.

**Mr. CUMMINS.** Mr. President, before the pending measure reaches a final vote I hope to have an opportunity to discuss the general subject of preparedness for both war and peace; but at the present moment I intend to direct my observations to the bill itself, with special reference to the amendment which I have offered and which is now pending. It is probable that during the progress of the bill I will offer a number of amendments; but I assure the chairman of the committee who has the bill in charge and all Senators that these amendments will not be presented in a hostile spirit. They will be for the purpose of harmonizing and strengthening the bill, rather than for the purpose of disarranging or weakening it.

The bill reported by the committee divides the armed, organized, active land forces of the United States into three parts or divisions: First, the Regular Army, so called; second, the Volunteer Army, so called—I say “so called,” because the word “volunteer” is entirely inappropriate in its use in connection with that particular division, for the entire armed strength of the United States is a volunteer armed strength; third, the National Guard, or, as it might be termed, the Organized Militia of the United States.

I have always been in sympathy with the traditional policy of the American people, which, as I understand it, has been opposed to a large standing army; but I do not find that the force here proposed is in any way inconsistent with the policy to which I have referred when the situation with which we are confronted is taken into account. I intend to favor the increase of the Regular Army to the point provided for in the bill, first, because our relations toward Mexico are in such a state that I think we ought, having that danger in view, to increase the Regular Army as greatly as is here proposed; second, because the increase of something like 80,000 men is to be made in five years, a very limited addition in any one year; and, third—although this is not technically a reason, possibly—because I fear that the entire increase provided for in the Regular Army will not be realized. I fear that it will be impossible to enlist the men necessary for the proposed increase.

Service in the Regular Army is not attractive to the young men of the country. The compensation is small, and the duties are such as naturally repel the ordinary American citizen. It is only in times of great danger, when the spirit of patriotism is invoked, and the determination to preserve the country from threatened peril is paramount, that we will be able to enlist or maintain an Army of any considerable extent.

The second division, the Volunteers—while I do not intend to discuss the merits of the proposition fully at this time—in my judgment ought to be entirely eliminated from the measure. It is not only impracticable in operation; it will not only, as I look at it, fail to provide an additional force, but it will be a very serious obstacle in the way of recruiting the National Guard, which I look upon as the real source of strength, so far

as training and discipline are concerned, and will divide the energies of the country and of Congress in the maintenance of these two bodies of men, both of which have for their chief purpose the education and the training of young men in the military science. In my judgment, this section of the bill encounters all the difficulties from the constitutional standpoint that are urged against the National Guard. I shall present my views upon that subject more fully at another time; but in order that Senators may have the matter in mind, let me remind those who are here that the Constitution plainly contemplates two great resources of military strength, so far as land forces are concerned: First, the Regular or the Standing Army, the Army of the United States, supposed to be in service during the entire period of enlistment, whatever that may be; second, the militia, which, as I said the other day, is as purely a Federal force and as entirely under the power and jurisdiction of Congress as is the Regular Army in all respects save one, and it is this—that while the Organized Militia is not in the active service in time of war or imminence of war, its officers are to be appointed or selected by the several States.

It is my opinion that section 56 of the bill, the section that refers to the so-called Volunteer Army, simply creates another organized body of the militia, and that the provision of the Constitution which reserves to the States the authority to appoint officers will be just as applicable to the so-called Volunteers in times of peace as it is applicable to the Organized Militia, known as the National Guard.

With that I pass to the immediate subject of my amendment. I do not profess to great expertness in the military science, but my general reading and observation have led me to the conclusion that in the national defense the land force is quite as important as the naval force. Indeed, if I were compelled to rank the importance of these two arms or branches of our military strength, I would give precedence to the land force. I understand perfectly that the office of the Navy is to prevent landing upon our shores, to protect our commerce, and the like; but, after all, one engagement may entirely destroy the naval force as a protection to the people of the country. One engagement may so dissipate or disintegrate the Navy that it will thereafter become practically useless in defending our land against invasion.

Do not understand me even to suggest that our Navy should be weak or inconclusive. I am entirely in favor of an adequate naval force; but I repeat that for the protection of the United States against invasion we must depend more largely upon the strength and efficiency of the land force than of the sea force. No foreign power will ever attempt an invasion if it knows that it will be met upon the shore with an army of adequate strength and of adequate equipment, for there would be no motive whatsoever for the invasion if it were reasonably sure that the invading force would be forced back into the sea.

I am therefore particularly interested, and I think every Senator is, in so organizing our land forces that all the world may know that, even though our naval fleet is swept away, nevertheless no hostile foot can ever be planted upon American soil.

The bill, Mr. President, inaugurates a new era. It is an entirely new era so far as the Organized Militia is concerned; that is, so far as the National Guard—for I shall hereafter speak of it as the National Guard—is concerned. It establishes new relations between the General Government and the guard. It creates a new atmosphere which surrounds the whole armed strength of the United States; and it is my desire to see the guard brought into as close connection with the War Department at Washington as it is possible to bring it. If we are to depend—and we must depend—upon these forces, that are in the service in time of peace only to be trained and educated and disciplined in military affairs, there must be between such force and the supreme commander in the War Department that relation and feeling of confidence and closeness that will make all of them understand that they are moving and working for a single object.

I hope that the jealousy and aloofness heretofore existing between the Regular Army and the National Guard may be overcome, and that each will regard the other as a body of faithful, patriotic soldiers, each attempting in its own way and within its own field to further the great purpose for which our armed strength is created.

The National Guard will be from now henceforth, if this bill is passed, a Federal instrumentality. Most people have been in the habit of thinking of the guard or the Organized Militia as a State organization, as a State militia, as State troops, to be called into the Federal service only in times of great peril when it is necessary to make additions to the power of the Regular Army. There is nothing in our Government, there is



nothing in our Constitution, upon which any such belief or sentiment can be founded.

The militia are not State troops only. The truth is that there is no State in the Union that can organize and equip and arm a militia without the consent of Congress, and that consent has been given in times past; but Congress never has assumed to exercise all the power that is given to it in the Constitution with regard to the Organized Militia. This bill, for the first time in the history of our country, puts the National Guard in its proper relation to the General Government, and makes every officer of the National Guard as subject to the orders of the President as is any officer of the Regular Army.

Many people have seemed to believe that when the President of the United States desired to call upon the militia of the country it was necessary for him to make a requisition upon the governor of the State in which the particular militiamen or body of militia happened to be. It is not so. The President of the United States has the power, or we can give him the power, to issue all the orders that may be necessary to completely govern the militia or the National Guard directly to the officers commanding the guard, and there must be as complete and as full obedience to orders of that sort as though they had been directed to officers of the so-called regular force.

The word "regular" has crept into the literature of this general subject without any authority whatever. We have used it without very much discrimination to define that body of men who were continuously in the service of the Federal Government; but the forces provided for in the bill before us, and who are designated as parts of the Regular Army, are in fact no more parts of the Regular Army than are the officers and the men of the Organized Militia or National Guard.

The Constitution, which confers upon Congress the power to legislate upon this subject, does not suggest that one force is "regular" and the other "irregular." As I recall, there is no such word employed in the Constitution with reference to military matters; and I hope in the very beginning, as we go forward with this bill, that the somewhat vague and prejudicial impression many men have had that the Regular Army was a Federal instrumentality and the National Guard purely a State instrumentality, will disappear, because one, like the other, is subject to the laws of Congress and to the orders of the President of the United States.

Mr. NELSON. Mr. President, will the Senator permit me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. NELSON. I should like to hear the Senator, in connection with his remarks, interpret this provision of section 2, Article II, of the Constitution:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

That contemplates that the States may have a militia, and that the President has no command over them until they are called into the actual service of the United States. I should like to hear the Senator interpret that provision of the Constitution.

Mr. CUMMINS. Mr. President, I do not think so. In order to interpret it, I will begin at the origin of this power as given to both Congress and the President in the Constitution.

In Article I, section 8, there will be found the authority respecting the armed strength of the country; that is to say, the authority to provide for the national defense. I read—

Mr. NELSON. From what section does the Senator read?

Mr. CUMMINS. I am reading now from section 8 of Article I. We all know that it is preceded by the words "The Congress shall have power."

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

To provide and maintain a Navy.

To make rules for the government and regulation of the land and naval forces.

It has been generally supposed that the parts of the Constitution I have just read relate to what I have called the Regular Army so far as the land force is concerned. I continue:

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

I have heard it doubted, oftentimes, whether the clause I have just read gave Congress the authority to empower the President to send the militia beyond the confines of the country. That question was long ago definitely settled by the Supreme Court of the United States, but I shall not pause to read the opinion. It is to the effect that the President, in order to repel invasion, may send the militia, which has been organized under the authority of Congress beyond the limits

of the United States, because oftentimes the most effective way of repelling invasion is to invade, thus prevent the invasion which is anticipated or feared.

Mr. HARDWICK. Mr. President, will the Senator pardon me for just a moment?

Mr. CUMMINS. I yield to the Senator from Georgia.

Mr. HARDWICK. The decision to which the Senator refers does not go to the effect, however, of holding that the militia can be sent off for a long foreign campaign, if I remember it correctly.

Mr. CUMMINS. No; it does not go to the extent of holding that if the United States were to enter upon a war of aggression, and desired to occupy a foreign country in order to conquer it, the militia could be dispatched upon an errand of that kind.

Mr. HARDWICK. No.

Mr. CUMMINS. It is limited to the precise case I have already suggested.

Mr. HARDWICK. Yes. If the Senator will pardon me, I want to suggest that the illustration I have in mind, remembering that case, is this: If the President saw troops massed against us across the Canadian border or the Mexican border, he might send the militia across to strike first at those troops, but the case does not go any further in principle than that.

Mr. CUMMINS. It is also true that when the President of the United States, under the authority of Congress, determines that a particular fact or situation exists which authorizes the use of the militia, his determination can not be questioned anywhere or by anybody.

Mr. STERLING. Mr. President, I will ask the Senator from Iowa if he will give us the volume and page of the case to which he refers?

Mr. CUMMINS. The title of the case is *Martin versus Mott*, Twelfth Wheaton, 19. There is also the case of *Houston versus Moore*, Fifth Wheaton, 1.

Mr. SMITH of Georgia. Before the Senator passes from that, will he not make this qualification of his statement as to the discretion of the President? Suppose the President should deliberately undertake to send the National Guard across the sea into Asia to take part in the war there, would it not be so clearly violative of the Constitution that he would be subject to impeachment?

Mr. CUMMINS. I am not prepared to deny the proposition just suggested by the Senator from Georgia. I can conceive that the action of the President might be so arbitrary and so clearly colorable that it might be inquired into. But so far as I am concerned, this limitation commends the National Guard to me rather than otherwise. I do not believe we ought to organize the armed strength for the purpose of conquering any country in the world. I do not believe that we ought to impose upon the people of this country the burden that is necessarily entailed in the maintenance of military strength in order to do more than to repel invasion and to resist attack. If we ever reach a time when the American spirit desires to subject other countries to our power, that desires to enlarge the territory of the United States by conquest, the Constitution, from which I am quoting, will already have disappeared as a living force among the American people. I hope that no part of our military strength, whether it be denominated as the Regular Army or denominated as militia, will ever be employed for any such purpose.

Mr. SMITH of Georgia. Will the Senator allow me to say that in calling attention to this limitation with reference to the National Guard I did not at all mean to indicate that I thought it was an objection. I think it is a desirable limitation.

Mr. CUMMINS. I am sure of that.

Mr. SMITH of Georgia. I hope there never will be an effort to send them abroad for any such purpose.

Mr. CUMMINS. I am sure the sentiment of the Senator from Georgia is in exact accord with my own.

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I yield.

Mr. NEWLANDS. I wish to ask the Senator from Iowa how the militia could be used in case it is necessary in the maintenance of the Monroe doctrine to defend the soil of some Central American or South American Republic against foreign invasion?

Mr. CUMMINS. Mr. President, I am not very much concerned about the Monroe doctrine in building up our land force. It may be that some time we will be so unfortunate as to be compelled to take a large army to a distant country in order to sustain the Monroe doctrine. I am praying that no such contingency will ever occur, and if it does unhappily come I am

quite willing to depend upon the 250,000 men and officers who are provided for in the earlier parts of the bill.

Mr. NEWLANDS. I suppose the Senator also assumes that the militia can not be used for any such purpose and he realizes, of course, that one of the chief—

Mr. CUMMINS. I do not say so. I do not want to drift into a discussion of what the Monroe doctrine is or a discussion of the principle upon which it is founded, but if I understand it the Monroe doctrine is based upon self-interest. It is a doctrine which restrains foreign powers from occupying with their sovereignty the Western Hemisphere because we believe their presence in the Western Hemisphere with the governmental views they entertain would constitute a peril to the United States, and it is quite likely that that is the equivalent of a threatened invasion.

I quote the next paragraph of the Constitution upon this point:

To provide for organizing, arming, and disciplining the militia—

There is no suggestion there that it is a State force alone—and for governing such part of them as may be employed in the service of the United States.

Mr. NELSON. Does not that mean that the Federal Government has no control unless they employ them directly in the service of the United States?

Mr. CUMMINS. Not at all. The militia generally is composed of all the people of the United States. What is the militia? The unorganized militia under this bill is declared to be all men or boys from 16 to 60 possibly, or 65, and that is simply an interpretation put upon the word "militia." The unorganized militia of the United States is composed of every man, and I suppose, in the future, of every woman who is capable of bearing arms and defending the liberties and the integrity of the country. There is no description of militia in its general sense short of the one I have just suggested.

And for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

In the same article and in section 10 we find this provision:

No State shall, without the consent of Congress, lay any duty of tonnage or keep troops or ships of war in time of peace.

What are troops? I assume that troops, as distinguished from men, are men organized, armed, and equipped for the purpose of carrying on warfare.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SUTHERLAND. The Senator from Iowa is always very accurate in his investigation and in his interpretation of the Constitution; but I ask the Senator whether he does not think that the word "troops" there means something entirely different and distinct from the word "militia"—whether the word "troops" does not mean a standing army as distinguished from the militia?

Mr. CUMMINS. I do not think so, although that is, of course, a mere matter of judgment. The word "militia" includes all the men of the United States who are capable of carrying on war. The word "troops" is distinguishable from the word "militia" in this, that it signifies organized men, armed men, trained men, who are capable of moving under the orders of superior officers. That is the interpretation I put upon it.

Mr. SUTHERLAND. The State keeps the militia.

Mr. CUMMINS. No State keeps such militia without the consent of Congress.

Mr. SUTHERLAND. I am not so sure about that.

Mr. CUMMINS. At least I—

Mr. SUTHERLAND. The Senator is presenting a phase of the matter that I confess I have not had occasion to think about. However, it occurs to me that what is meant by the provision to which the Senator has just referred is that the State shall not keep troops in the sense that it shall not maintain a standing army, but that the State may maintain militia as distinguished from troops.

Mr. CUMMINS. Does the Senator think the State may maintain an army for nine months in the year?

Mr. SUTHERLAND. It may maintain the militia all the time, in the sense that it is a force upon which the State may call. The State may execute its own laws by calling upon the militia.

Mr. CUMMINS. When the militia is unorganized?

Mr. SUTHERLAND. It creates the militia and appoints the officers of the militia, and in that sense it keeps the militia.

Mr. CUMMINS. When the militia is organized, what does it become then?

Mr. SUTHERLAND. It is still the militia.

Mr. CUMMINS. They may organize the militia and keep them throughout the year, but they could not keep troops during the whole year?

Mr. SUTHERLAND. That is my interpretation of it. I think that is precisely what it means.

Mr. CUMMINS. It does not seem to me that distinction can be accepted.

Mr. CURTIS. I think the latter part of section 10 explains that the State militia are considered as troops, because it says:

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

Mr. CUMMINS. Undoubtedly.

Mr. CURTIS. So the State may maintain troops.

Mr. CUMMINS. Congress can authorize a State to have troops and use them. I have no doubt about that at all. It can maintain troops without the consent of Congress when it constitutionally engages in war—that is, when invaded. Of course this is very largely an academic question, for I hope there is no Senator here who desires to destroy the National Guard entirely, although that would seem to be the view of some of its opponents.

The next suggestion with regard to the militia found in the Constitution is the one quoted by the Senator from Minnesota [Mr. NELSON], and I read it:

The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States.

The militia have a habitation, of course, and it is not inaccurate to speak of the militia of the States even though it were not intended to mean that the States have exclusive power over the militia.

But the second suggestion in response to that of the Senator from Minnesota is this: When are they called into the actual service of the United States? Whenever the United States attempts to organize them and train them and discipline them in order that they may be efficient in war they are in the actual service of the United States. There is no difference in law between the period of preparation and the period of performance. Otherwise how can you reconcile these two provisions of the Constitution? In one it is said Congress shall have the power to organize, to equip, to discipline, to arm the militia, whether in time of war or in time of peace, and they are employed, as I think, under Article I, section 8, of the Constitution whenever they are preparing themselves for the work to which they may be ultimately called.

Mr. NELSON. Will the Senator allow me right there to interrupt him?

Mr. CUMMINS. Certainly.

Mr. NELSON. I want to call the Senator's attention to the specific language of the paragraph of the Constitution which he has quoted in part. It is paragraph 16 of Article I:

To provide—

That is, Congress may do this—

To provide for organizing, arming, and disciplining the militia—

That is, to lay down and prescribe the rules—

and for governing such part of them as may be employed in the service of the United States.

Congress has no power or the President has no power to govern them unless they are directly employed in the service of the United States. And then it adds:

Reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

That is, Congress could lay down the rules and regulations for the training of the militia, but it is with the States to appoint the officers and to carry on the practical training before they are called into the service of the United States.

Mr. CUMMINS. Mr. President, there is a part of what the Senator from Minnesota has just said that can be accepted, but there is a part that is not justified by the language he has read. I have already discussed it to some extent, and I have reached a conclusion, and I have no doubt whatsoever that the power reserved—

Mr. NELSON. Perhaps I ought not to have interrupted the Senator, and I will not interrupt him if it does not suit him.

Mr. CUMMINS. I have not suggested that the Senator from Minnesota shall not interrupt me. I will be very glad to have him interrupt me at any time. I have, however, considered that section or article of the Constitution as fully as I can, and I will not attempt to add to what I have already stated with respect to it.

Mr. SUTHERLAND. Before the Senator passes to another subject—I said in the colloquy a moment ago that I thought the



term "troops" referred to a standing army and not to the militia. Since then I have obtained the volume of the Century Dictionary dealing with the word "militia," and I invite the Senator's attention to this definition among others:

3. In the United States, all able-bodied men over 18 and less than 45 years of age amenable to military service. Divided into organized militia, or the National Guard and "reserve militia."

Then follows a quotation from Lincoln, in which he says:

It has been necessary to call into service, not only volunteers, but also portions of militia of the States by draft.

Then follows a quotation from Fiske's American Political Ideas, page 98, where it is said:

The Regular Army is supported and controlled by the Federal Government, but each State maintains its own militia, which it is bound to use in case of internal disturbance before calling upon the Central Government for aid. In time of war, however, these militias come under the control of the Central Government.

Now, this is the part to which I invite the Senator's attention:

4. A body of men enrolled and drilled according to military law as an armed force, but not as regular soldiers, and called out in emergency for actual service and periodically for drill and exercise.

Then follows something else which it is not necessary to read. So that the author of this dictionary seems to regard the militia not as regular soldiers but as a body of citizens armed for emergencies and not regular soldiers, and I think that that is the sense in which the word "troops" is used in the Constitution.

Mr. CUMMINS. I see nothing whatever in the definition just read that is inconsistent with anything I have said. I understand perfectly that the militia is that portion or part of our organized strength that is not in continuous service and is called into active service or continuous service only in the event of war or the imminence of war. I have no doubt whatsoever about that. But it does not at all impinge upon my argument or my conclusion to assert that the power to call the militia is in the Congress of the United States, and that the power to organize it and discipline it and train it under officers appointed by the State is also in Congress. By that I do not mean to say that the States may not lawfully organize the militia, because Congress has given the authority to organize it, and it is not necessary even to say that the States could not organize the militia without the consent of Congress. All that I am attempting to establish is the power and authority of the General Government over the Organized Militia known as the National Guard, and when that is established the whole contention, in so far as I am concerned, is proven.

I have entered upon it only because there is a disposition, or has been a disposition, to belittle the National Guard as an essential part of our national armament. I believe it is the agency and the only practicable agency for the training of the young men of this country so that in the event of war we can command a sufficient and efficient Army, and it is with that in view that I have offered the amendment which is now pending and which I now call to the attention of the Senate.

It will be remembered that we have in the Regular Army a General Staff. This bill perpetuates the General Staff. Whether it makes any changes in its personnel I do not know, nor is it material. The provision is found in section 6, and I will read but a little of it:

SEC. 6. The General Staff Corps: The General Staff Corps shall consist of 1 Chief of Staff, detailed in time of peace from major generals of the line, who shall while so serving have the rank, pay, and allowances prescribed for a lieutenant general, and shall take rank and precedence over all other officers on the active list of the Army; 3 assistants to the Chief of Staff, brigadier generals, detailed in time of peace from the brigadier generals of the line, 1 of whom shall be the president of the Army War College and 1 of whom shall be Chief of the Division of Militia Affairs; 10 colonels; 12 lieutenant colonels; 32 majors; and 34 captains—

In all, 92 officers of the Regular Army. These officers constitute the General Staff. Their functions are purely advisory. Neither the staff nor any of its members as such staff officers have any authority whatsoever. It is a board created in order to exchange views, to discuss military affairs, to look into the future, to apprehend military needs, to provide in a broad way for the national defense. It is, I think, an invaluable arm of the service. I think its existence has vindicated the wisdom of the men who not long ago organized it, and I have no criticism upon it or quarrel with what it is appointed to do.

The amendment which I have offered is as follows:

The President shall detail five officers of the National Guard of not less than 10 years' service, who shall constitute an additional section of the General Staff to be known as the National Guard section. Such officers shall be detailed as follows: One for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years, and after the expiration of each detail the successor shall be detailed for a period of four years—

I will say, in passing, that is the period of the detail of the officers from the Regular Army—

unless such detailed officers shall be sooner relieved. In the event of a vacancy in this section the detail shall be for the unexpired term. No

officer having served in this section of the General Staff shall be again detailed for such service within two years after the service has ceased. National Guard officers so serving shall receive the pay and allowances of officers of similar grade in the Regular Army.

My amendment is intended to bring into close cooperation and consultation the officers of the Regular Army and the officers of the National Guard. It is to secure the harmony and good feeling that must exist between these two arms of the service if all the purposes of this bill are to be realized.

It will be remembered that the National Guard under this bill is to consist of practically 117,000 men and officers for the first year. That is the actual strength at this time. It is to be increased during succeeding periods until it reaches the actual strength of substantially 265,000 men and officers. That is the peace strength. When it is recruited to the point of 265,000 it will constitute the most reliable, the most effective, and I think the most patriotic reserve force for the defense of the Union that can possibly be organized. It is composed and will be composed mainly of young men of high ambitions, deeply attached to the institutions of the country, anxious and willing to take on the training and receive the instruction necessary to make them efficient soldiers and capable of defending their country in time of need.

Is it possible that a force of 265,000 such men preparing themselves to discharge the highest duties a citizen can owe his Government ought not to be represented upon the General Staff? Is it possible that there is a Senator here who will deny that privilege to this body of men? No matter what you pay them, they will have served their country in preparation with actual loss to themselves. Are you willing to deny such a body of men, through their officers, participation in the military councils of the Nation? When the moment of danger comes they are the men who will spring to the country's defense, and they are the men upon whom we must rely for immediate and efficient organization.

Mr. SMITH of Georgia. I was called out for a moment. Is the Senator now discussing his amendment which looks toward placing the officers of the National Guard at the head of the bureau here that directs the National Guard?

Mr. CUMMINS. No; I am discussing the amendment now which proposes to create an additional section, known as the National Guard section of the General Staff, to be composed of five officers of the National Guard. I have described in a general way what the General Staff is and the office which it performs, and I am attempting now to show how wise it will be to attach to the General Staff of the Regular Army five representatives of the National Guard.

Mr. SMITH of Georgia. Will the five so attached to the General Staff have any control over the National Guard Bureau in the War Department, which heretofore has been presided over and controlled exclusively by Regular Army officers, who are not familiar with the work of the National Guard and really are not so capable of sympathizing with and directing it as if there were some officers of the National Guard in that bureau?

Mr. CUMMINS. The amendment now under consideration will not change the present organization in the War Department known as the Division of Militia Affairs. I have another amendment, which I shall offer later, possibly, which puts at the head of the Militia Division in the War Department an officer of the National Guard, but that is not the question now under consideration.

Mr. SMITH of Georgia. I asked of the Senator from Iowa the question I did, because I read his amendment last night, and I did not think it reached that division. It seems to me that we ought to reach that division also with the presence of an officer of the National Guard.

Mr. CUMMINS. Mr. President, I am trying to take one step at a time. No matter whether those who believe in the National Guard are successful in putting an officer of the National Guard in charge of the Militia Division or not, there should be little difference of opinion with regard to the propriety of having the guard represented in the General Staff. The members of the General Staff, as such, have no duties to perform, except advisory and consulting duties. It is a committee of the whole upon the state of the Union, so far as military affairs are concerned.

This particular amendment places five representatives of the guard upon the General Staff, in order that they may meet with them, exchange views with them, explain to them, if you please, the necessities or wants of the National Guard, and who can, by their personal association, destroy, as I hope, the unreasoning, unfounded hostility which some of the officers of the Regular Army have manifested toward the National Guard.

Mr. SMITH of Georgia. Can the Senator from Iowa tell us what number of officers there are now in the General Staff?

Mr. CUMMINS. I do not know how many there are now.

Mr. SMITH of Georgia. But under this bill how many are provided for?

Mr. CUMMINS. The bill provides a General Staff composed of 92 officers of the Regular Army.

Mr. SMITH of Georgia. And the Senator proposes by his amendment to add five officers of the National Guard?

Mr. CUMMINS. I ask a representation of five officers from the National Guard. Those officers could not under any possible circumstances overcome the judgment or the conclusions of the General Staff. They would constitute so slight a proportion that the only influence they could exert would be through the persuasiveness of their reasons for the course advised. If, as some people have fancied, the National Guard were to attempt to take possession of the General Staff and were to attempt to administer the military affairs of the country, every Senator would object; but why the military councils of the Nation should not welcome the presence of these few officers of the guard, who come directly from a body which, when the terms of this bill are fully realized, will number 265,000 young men, who are giving their time, devoting their energies, and making sometimes almost infinite sacrifices in order that they may be ready when the time of emergency or danger approaches, I can not conceive.

Mr. SMITH of Georgia. Mr. President, will there not be as many more also of the National Guard reserve under the terms of this bill?

Mr. CUMMINS. Gradually there will be many more. In the course of years the National Guard reserve, it is to be hoped, will largely outnumber those who are actively enrolled and under immediate training, and whose duty it is to go to camp, to maneuver, to drill, and the like.

Mr. President, I have occupied a great deal more time than I had intended to do upon this amendment. My only excuse is that we drifted away into a constitutional argument, with respect to the status of the National Guard under the laws of the country. While I do not deplore or regret the argument, I hope Senators will understand that it is not in anywise involved in the amendment which I have offered. If the views of the Senator from Minnesota [Mr. NELSON] or the views of the Senator from Utah [Mr. SUTHERLAND] are sound, the amendment that I have offered is just as essential, it is just as necessary, it is just as wise, and will be just as effective as though the views which I have held and attempted to state shall be found to be true.

I hope, with all my heart, that the men and the officers of the National Guard, who have for so many years manifested in the most conclusive way their interest in the military strength of the country and their willingness to do all that they can do to provide for the national defense, will hereafter be represented upon the General Staff.

Mr. BRANDEGEE obtained the floor.

Mr. SHERMAN. Mr. President, I merely wish to ask a question of the Senator from Iowa before he resumes his seat.

Mr. BRANDEGEE. I yield to the Senator from Illinois for that purpose.

Mr. SHERMAN. It will take me but a few moments to do so. Before the Senator concludes his remarks I should like to have him add his views upon this statement in the report from the War College under date of September, 1915. It is found on page 22, near the foot of the page of this document, in the following language:

Due to constitutional limitations, Congress has not the power to fix and require such an amount of training for the Organized Militia. No force can be considered a portion of our first line whose control and training is so little subject to Federal authority in peace.

I wish to ask, in connection with that statement, the Senator's interpretation of the sixteenth clause of the powers of Congress, as defined in the Constitution, which has been referred to here. Among other powers it refers to the appointment of officers of the militia by the States and "the authority of training the militia according to the discipline prescribed by Congress." Will the Senator state what he believes "discipline" as there used to include? Does it not include requiring some length of training in the State militia so as to give adequate military strength to that organization?

Mr. CUMMINS. Obviously, Mr. President, it involves the power of Congress to prescribe the time the training shall continue. If that be not true, this whole bill is founded upon a false view of the Constitution. It has given the President the power to prescribe the period of training and the character of the training. It must be carried on under the eyes of an officer of the Regular Army. There is not a movement of the National Guard, from the moment of organization, when both officers and men are not under the control of the General Government. I can not imagine anything connected with the National Guard

that will not come within the term of "organizing, arming, and disciplining the militia." If anyone can imagine what more could be done with a military organization I shall be very much interested to hear it.

Mr. CURTIS. Mr. President, may I add just one word, with the permission of the Senator from Connecticut, which I think will interest the Senator from Illinois?

Mr. BRANDEGEE. I yield to the Senator from Kansas.

Mr. CURTIS. I wish to read an extract from a document prepared by the military council of the State of Missouri in reference to the power of the Federal Government over the militia under the Constitution. I read as follows:

Save and except the appointment of officers reserved to the States, but one power remains in the States, and that is to train the militia according to the discipline prescribed by Congress. What does this mean? It means that while the State shall superintend the actual drill and instruction of the National Guard, such instruction must be according to the discipline prescribed by Congress; that is to say, the method of drill and instruction and the observance of all things which go to make up military discipline must be according to Federal standards.

Mr. CHAMBERLAIN. Mr. President, I did not catch the name of the document from which the Senator from Kansas has been reading.

Mr. CURTIS. I have read from an article prepared by the military council of the State of Missouri.

Mr. WARREN. Mr. President, I ask permission to have read at the desk a telegram from the seat of war in Mexico.

Mr. BRANDEGEE. I shall be very glad to yield to the Senator for that purpose.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[Statement for the press.]

WAR DEPARTMENT, March 31, 1916.

Following telegram received to-day:

"SAN GERONIMO, March 30.

"Dodd struck Villa's command, consisting of 500, 6 o'clock March 29 at Guerrero. Villa is suffering from a broken leg and lame hip; was not present. Number of Villa's dead known to be 30; probably others carried away dead. Dodd captured two machine guns, large number of horses, saddles, and arms. Our casualties, 4 enlisted men wounded. None serious. Attack was surprise, the Villa troops being driven in a 10-mile running fight and retreated to mountains northwest of railroad, where they separated into small bands. Large number Carranzista prisoners, who were being held for execution, were liberated during the fight. In order to reach Guerrero Dodd marched 55 miles in 17 hours and carried on fight for 5 hours. \* \* \* Ellisio Hernandez, who commanded Villa's troops, was killed in fight. With Villa permanently disabled, Lopez wounded, and Hernandez dead, the blow administered is a serious one to Villa's band.

"PERSHING."

Mr. BRANDEGEE. Mr. President, I think one of the most important features of this bill is the attempt to federalize properly the so-called National Guard, which I assume to be the Organized Militia of the several States. That feature is covered by section 112 of the bill, which I will not read in full, but which I will ask to have printed in full in connection with my remarks. I will read that portion which commences at the bottom of page 191 and provides:

The National Guard \* \* \* may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States, unless sooner discharged by the President.

The section entire is as follows:

SEC. 112. When Congress shall have authorized the use of the armed land forces of the United States requiring the use of troops in excess of those of the Regular Army, the officers and enlisted men of the National Guard, who have signed an enlistment or agreement to render military service to the United States and have received and accepted compensation for training for such service under the provisions of this act, and who have passed the required physical examination at the time of their enlistment, may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States, unless sooner discharged by the President. Officers and enlisted men in the service of the United States, under the terms of this section, shall have the same pay and allowances as officers and enlisted men of the Regular Army.

Mr. President, I very much fear that Congress is exceeding its power under the Constitution in enacting that provision. It is not entirely a new subject. In 1840 the then Secretary of War, Mr. Poinsett, submitted to Congress a program, one section of which provided:

SEC. 17. That the President of the United States be authorized to call forth and assemble such numbers of the active force of the militia, at such places within their respective districts, and at such times, not exceeding twice, nor ——— days, in the same year, as he may deem necessary; and during such period, including the time when going to and returning from the place of rendezvous, they shall be deemed in the service of the United States, and be subject to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge.

Secretary of War Poinsett submitted his provision to the Speaker of the House of Representatives and in due course it



went to the House Committee on Militia. On March 6, 1840, the chairman of that committee made reply thereto, inviting the Secretary's attention to several points in his proposed reorganization of the militia which presented a "contrariety of opinions to the Committee on Militia," and stating that at their request he was writing to suggest the difficulties and to ascertain a more complete exposition of his views, and further remarking thereon as follows:

By the seventeenth provision, the power of the President to call forth and assemble such numbers of the active force of the militia as he may deem necessary, and subject them to such regulations as he may think proper to adopt for their instruction, discipline, and improvement in military knowledge, is an organization supposed to be incompatible with the eighth section of the first article of the Constitution, that "provides for calling forth the militia and reserves to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

Under date of April 8, 1840, Secretary Poinsett, with reference to the foregoing contention, replied as follows—

Mr. President, as I am very hoarse this afternoon, I do not want to read any more than is absolutely necessary, and so I will ask the Secretary to read the reply of Secretary Poinsett.

The VICE PRESIDENT. The Secretary will read as requested.

Mr. SMITH of Georgia. Will the Senator from Connecticut kindly indicate what the matter referred to is?

Mr. BRANDEGEE. It is the report of the Secretary of War, Mr. Poinsett, in 1840, upon a very similar proposition to federalize the State militia or the National Guard.

The Secretary read as follows:

With regard to the seventeenth article, the same difficulty which presented itself to the committee occurred to me when considering this subject, viz: That provision of the Constitution which restricts the power of Congress over the militia to organizing, arming, and disciplining them, reserving to the States, respectively, the appointment of officers and the authority of training the militia according to the discipline prescribed by Congress. Although the word "disciplining" is susceptible of a different interpretation from that given to it here, yet the subsequent reservation to the States of the power to train the militia according to the system of discipline adopted by Congress would seem to define its meaning; and as we can not be too scrupulous in our interpretation of the Constitution, I propose that in the event of its becoming necessary to resort to drafts in order to fill the ranks of the active class of militia, to apply to the States to place by law their contingents at the disposition of the General Government for a period not more than 30 days of every year for the purpose of their being trained in conjunction with regular troops and by veteran officers. It is not probable that this cooperation will be withheld by any State when the advantages are presented to it of possessing a body of well-organized, well-armed, and well-disciplined militia, without any expense either to the States or to the citizens thereof, and when they are made aware that it is the intention of the Government to assemble such militia at convenient points within each State and in the vicinity of depots of arms, which it is proposed to establish as a part of the system. [Italics supplied.]

Mr. BRANDEGEE. In other words, Secretary Poinsett conceded the force of the constitutional objection raised by the chairman and changed his plan so as to rely, not upon the authority of the Congress to call the militia into the service of the United States for training, but upon a draft by the State in pursuance of State law, effective only to bring the militia of a given State to a rendezvous within that State.

The Hay provision is even broader than the Poinsett provision. Its effect is to authorize the President to call the militia of a given State into the service of the United States for the purpose of training, not only to encampments within the State but at joint encampments with the Regular Army, which will in the general case be without the State.

Mr. President, it will thus be seen that this proposition has been considered previously by Congress and abandoned on the theory that they had no constitutional authority to federalize the militia, subject to the order of the President, to make it a part of the Regular Army and to send it out of the country.

The Senator from Iowa has alluded to the case in Fifth Wheaton, and now I wish to allude to the case of Peter J. Dunne against The People, reported in Ninety-fourth Illinois, State Reports, being a decision of the supreme court of that State. It is a very instructive case, and answers a good many of the questions about which we are more or less confused, I think, judging from the running colloquy which has developed on this subject. After reading two or three paragraphs of the syllabus, I will ask permission to print in the Record, where it may be studied at the leisure of Senators, such portions of the case as I have marked—not the entire case—as it deals with some other points.

The syllabus says:

The power in Congress to provide for organizing, arming, equipping, and disciplining the militia is not exclusive. It is merely an affirmative power, and not incompatible with the existence of a like power in the States; and hence the States have concurrent power of legislation not inconsistent with that of Congress. It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted.

3. The Federal Constitution does not confer on Congress unlimited power over the militia of the several States, but it is restricted to specific objects enumerated, and for all other purposes the militia of the States remains subject to State legislation. The power of a State over its militia is not derived from the Constitution of the United States. It is a power the States had before the adoption of that instrument, and its exercise by the States not being prohibited by it, it still remains with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution.

6. By any fair construction of the Constitution of the United States, a law to organize the militia of a State for its own purposes, not inconsistent with the laws of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders, where the ordinary local officers are unable, on account of the magnitude of the disturbance, or any sudden uprising to accomplish the result.

7. The organization of the active militia of the State is not in violation of that clause of the Federal Constitution which withholds from the States the right to keep troops in time of peace. Such a militia is not embraced in the term "troops," as used in the Constitution. The State militia is simply a domestic force, distinguished from regular troops, and is only liable to be called into service when the exigencies of the State make it necessary.

I now ask that the portion of the case I have marked be printed in the Record.

The VICE PRESIDENT. In the absence of objection, permission to print the matter referred to in the Record is given.

The matter referred to is as follows:

PETER J. DUNNE V. THE PEOPLE OF THE STATE OF ILLINOIS.

1. Juror—Exemption of active militia: The provision of the act of May 28, 1879, entitled "An act to provide for the organization of the State militia," etc., which exempts an active member of a company of the State militia from serving upon juries, is a valid and constitutional law.

2. State militia—State and Federal power—and herein of their concurrent powers: The power in Congress to provide for organizing, arming, equipping, and disciplining the militia is not exclusive. It is merely an affirmative power and not incompatible with the existence of a like power in the States; and hence the States have concurrent power of legislation not inconsistent with that of Congress. It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted.

3. The Federal Constitution does not confer on Congress unlimited power over the militia of the several States, but it is restricted to specific objects enumerated, and for all other purposes the militia of the States remains subject to State legislation. The power of a State over its militia is not derived from the Constitution of the United States. It is a power the States had before the adoption of that instrument; and its exercise by the States not being prohibited by it, it still remains with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution.

4. The reservation to the States of the power of appointing the officers of the militia and authority to train the militia according to the discipline prescribed by Congress does not place any restriction upon the States in respect of its power of concurrent legislation concerning its militia. The exception from a given power can not be considered as an enumeration of all the powers which belong to the States over the militia.

5. There is no question of the power of a State to organize such portion of its militia as may be deemed necessary in the execution of its laws and to aid in maintaining domestic tranquillity within its borders. The power given to the chief executive of the State to call out the militia to execute the laws, etc., by implication recognizes the right to organize a State militia.

6. By any fair construction of the Constitution of the United States, a law to organize the militia of a State for its own purposes, not inconsistent with the laws of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders, where the ordinary local officers are unable, on account of the magnitude of the disturbance or any sudden uprising, to accomplish the result.

7. The organization of the active militia of the State is not in violation of that clause of the Federal Constitution which withholds from the States the right to keep troops in time of peace. Such a militia is not embraced in the term "troops," as used in the Constitution. The State militia is simply a domestic force, as distinguished from regular troops, and is only liable to be called into service when the exigencies of the State make it necessary.

8. It is a matter dependent on the wisdom of Congress whether it will provide for arming and disciplining the entire body of the militia of the United States. The citizen is not entitled, under any law, State or Federal, to demand, as a matter of right, that arms shall be placed in his hands.

9. It is for the legislature to determine of what number the active militia of the State shall consist, depending on the exigency that makes such organization necessary.

10. Same—Validity of act of 1879—Under the constitution of 1870, and in respect to Federal laws: The act of the general assembly of May 28, 1879, providing for the organization of a State militia, etc., is not in conflict with any provision of the present constitution of this State.

11. Nor is that act repugnant to the national law relating to the militia either in its spirit, intent, or effect. In defining what persons shall constitute the State militia, it is in strict accordance with the act of Congress of 1792.

12. The provision in the State militia law making it the duty of the governor, as commander in chief, by proclamation, to require the enrollment of the entire militia of the State, or such portion thereof as shall be necessary, in the opinion of the President of the United States, and to appoint enrolling officers, and to make all necessary orders to aid in the organization of the militia, is not in contravention of any of the provisions of the act of Congress of 1792, or any other act of Congress in relation to the organization of the militia, but is rather in aid of such laws.

13. The organization of a State militia, when not in actual service, but for the purpose of training under the act of Congress, into divisions, brigades, regiments, battalions, and companies, shall be done as the State legislature may direct. When called into the national service, it is made the duty of the executive to organize the militia as the act of Congress directs.



14. The adoption of the discipline, exercises, and equipment required in the Regular Army of the United States, in the State system, will not render the law invalid.

15. The fact that the men composing the active militia of the State are required to take an oath to obey the "orders of the commander in chief, and such other officers as may be placed over them," is no just ground of objection to the law. The obedience to the orders of the governor is when they are in the service of the State, and not in the actual service of the United States.

16. The provision of the militia code of the State which provides that no military company shall leave the State with arms and equipments without the consent of the commander in chief was intended to apply to the militia when not in the actual service of the United States, and is a valid law.

17. The provision of the militia law making it unlawful for any body of men other than the regularly Organized Volunteer Militia of this State and of troops of the United States, with an exception in favor of students in educational institutions where military science is taught, to associate themselves together as a military company or organization, or to drill or parade with arms, in any city or town of this State, without the license of the governor, is not inconsistent with any paramount law of the United States, and is a binding law.

18. Same.—The act not defeated if some provisions are invalid: If the militia law, in some minor matters of detail in the organization of the active militia, or in some of its regulations, should not be found in harmony with the acts of Congress, that would not invalidate the whole act. The most that can be said is that they should yield to the paramount laws of the United States.

19. If the general provisions in sections 4, 5, and 6 of article 11 of the militia act were repugnant to the laws of the United States respecting the militia, they might be eliminated from the statute without affecting in the slightest degree the efficient organization of the active militia; but they are not inconsistent with or repugnant to any acts of Congress on the subject.

20. Nonessential differences in the regulations as to the militia not in the actual service of the United States, contained in a State law, from those in acts of Congress, will not render the former invalid.

21. Police power of the State.—Generally: In matters pertaining to the internal peace and well-being of the State, its police powers are plenary and inalienable. It is a power coextensive with self-protection. Everything necessary for the protection, safety, and best interests of the people of the State may be done under this power. Persons and property may be subjected to all reasonable restraints and burdens for the common good.

22. Where mere property interests are involved, this power, like other powers of government, is subject to constitutional limitations; but when the internal peace and health of the people are concerned, the only limitations imposed are that such "regulations must have reference to the comfort, safety, and welfare of society." What will endanger the public security must, as a general rule, be left to the wisdom of the legislative department.

23. Same.—Prohibiting parade, etc., of armed bodies of men: It is a matter within the regulation and subject to the police power of the State to determine whether bodies of men, with military organizations or otherwise, under no discipline or command by the United States or of this State, shall be permitted to parade with arms in populous communities and in public places.

Writ of error to the criminal court of Cook County; the Hon. William H. Barham, judge, presiding.

Mr. Charles A. Gregory, for the plaintiff in error.

Mr. Lyman Trumbull, Mr. Harry Reubens, and Mr. Wolford N. Low, for the defendants in error.

Mr. Justice Scott delivered the opinion of the court:

Peter J. Dunne, having been summoned to serve as a jurymen in the criminal court of Cook County at the September term, 1879, it was made to appear he was a citizen of Illinois, 22 years of age, and that he was an enlisted, active member of the "Illinois National Guard," in Company G, First Regiment, a military company organized and existing under a statute of this State, approved May 28, 1879, and in force July 1, of the same year, entitled "An act to provide for the organization of the State militia, and entitled the 'Military Code of Illinois,'" and because of the facts appearing he claimed, under the provisions of the act, which so expressly declares, he was exempt from jury duty, but the court deemed the cause assigned insufficient in law to excuse the juror from service, and notwithstanding the decision of the court he refused to serve in the capacity of a juror, and on account of his contumacy he was fined in the sum of \$50.

Acting on the suggestion of counsel, that it is the desire of both parties to obtain the opinion of this court as to the validity of the act of the general assembly "to provide for the organization of the State militia," approved May 28, 1879, all preliminary considerations as to the manner in which the case comes before the court, and the invalidity of the act under the constitution of the State, will be waived with a view to proceed directly to the question whether the act, or such parts of it as provide for the organization of the active militia of the State, known as the Illinois National Guard, is void by reason of its repugnancy to the Constitution of the United States, and to the laws passed in pursuance thereof. It may be remarked, although no point is made that the act in question contravenes any provision of our State constitution, it seems to be in entire harmony with that instrument. Article 12, section 1, constitution of 1870, is, "The militia of the State of Illinois shall consist of all able-bodied male persons resident in the State between the ages of 18 and 45, except such persons as now are or hereafter may be exempted by the laws of the United States or of this State." And section 2 of the same article is, "The general assembly, in providing for the organization, equipment, and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States." On examination it will be seen the act of the general assembly under consideration conforms exactly with these constitutional requirements, as will be made to appear more fully in the sequel of this discussion.

If, therefore, this act of the legislature is void, it must be for one of two reasons assigned, (1) because of its repugnancy to the Constitution of the United States (2) because it is inconsistent with and repugnant to the acts of Congress on the same subject, passed in pursuance with authority conferred by the Federal Constitution. The importance of the questions involved has induced the most careful consideration, but it will be our purpose to avoid all unnecessary discussion and state our views as briefly as practicable.

The first proposition submitted against the validity of the act known as the military code, is that the power of organizing, arming, and disciplining the militia, being confined by the Constitution of the United States to Congress, when Congress has acted upon the subject and

passed a law to carry into effect the constitutional provision, such action excludes the power of legislation by the State on the same subject. This is not, in our judgment, an accurate—certainly not a full—expression of the law. Two things must be assumed to maintain this proposition: 1, that the constitutional provision in respect to the militia is of that character it can only be exercised by Congress, and that any State legislation would of necessity be inconsistent with Federal legislation under that article of the Constitution; 2, that the Constitution itself places a restriction, either directly or by implication, upon all State legislation in respect to the militia. Neither assumption is warranted by any fair construction of the Constitution of the United States, nor by contemporaneous explanations by writers whose authority is to be respected, or by any subsequent judicial determinations with which we are familiar.

Article 1, section 8, division 15, confers power on Congress "to provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." Neither this clause nor any other of the Constitution inhibits in express terms State legislation in regard to the militia. Our understanding is, it is a matter upon which there may be concurrent legislation by the States and Congress. No doubt it is true that some powers granted to Congress are exclusive and exclude by implication all State legislation in regard to the subject of such powers. It is not true, however, that all powers granted to Congress are exclusive, unless where concurrent authority is reserved to the States. Examples of concurrent authority readily suggest themselves. Congress has power, under the Constitution, "to lay and collect taxes, duties, imposts, and excises," but it has never been supposed that grant of power was a restriction upon the States "to lay and collect taxes" for State purposes. Such a construction would destroy all State governments by taking from them the means of maintaining order or protecting life or property within their jurisdictions. Other examples might be mentioned, but this is sufficient for our present purpose.

It might be well in this connection to call to mind that "powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people." The power of State governments to legislate concerning the militia existed and was exercised before the adoption of the Constitution of the United States, and as its exercise was not prohibited by that instrument, it is understood to remain with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution of the United States. The section of the Constitution cited does not confer on Congress unlimited power over the militia of the States. It is restricted to specific objects enumerated, and for all other purposes the militia remain as before the formation of the Constitution, subject to State authorities. Nor is there any warrant for the proposition that the authority a State may exercise over its own militia is derived from the Constitution of the United States. The States always assumed to control their militia, and, except so far as they have conferred upon the National Government exclusive or concurrent authority, the States retain the residue of authority over the militia they previously had and exercised. And no reason exists why a State may not control its own militia within constitutional limitations. Its exercise by the States is simply a means of self-protection.

The States are forbidden to keep "troops" in time of peace; and of what avail is the militia to maintain order and to enforce the laws in the States unless it is organized? "A well-regulated militia" is declared to be "necessary to the security of a free State." The militia is the dormant force upon which both the National and State Governments rely "to execute the laws, . . . suppress insurrections, and repel invasions." It would seem to be indispensable there should be concurrent control over the militia in both governments within the limitations imposed by the Constitution. Accordingly it is laid down by text writers and courts that the power given to Congress to provide for organizing, arming, and disciplining the militia is not exclusive. It is defined to be merely an affirmative power, and not incompatible with the existence of a like power in the States; and hence the conclusion is the power of concurrent legislation over the militia exists in the several States with the National Government.

The case of *Houston v. Moore* (5 Wheat., 1) is an authority for this construction of the Constitution. The question before the court in that case, as concisely stated by Kent in his Commentaries, in discussing the power of Congress over the militia, was whether "it was competent for a court-martial, deriving its jurisdiction under State authority, to try and punish militiamen, drafted, detached, and called for by the President into the service of the United States, who refused and neglected to obey the call"; or, as stated by Story, J., the only question cognizable by the court on the record before them arose on the refusal of the "State court of common pleas to instruct the jury that the first, second, and third paragraphs of the 21st section of the statute of Pennsylvania of the 28th of March, 1814, as far as they related to the militia called into the service of the United States under the laws of Congress, and who failed to obey the orders of the President of the United States, are contrary to the Constitution of the United States and the laws of Congress made in pursuance thereof, and are therefore null and void. The court instructed the jury that those paragraphs were not contrary to the Constitution or laws of the United States, and were therefore not null and void." Notwithstanding there was a law of Congress that provided for the organization of courts-martial for the trial of militia drafted, detached, called forth into the service of the United States, to be conducted as courts-martial for the trial of delinquents in the Army, the court decided that the militia, when called into the service of the United States, were not to be considered in that service or in the character of national militia until they were mustered at the place of rendezvous; and until then the State retained a right, concurrent with the Government of the United States, to punish their delinquency. The statute that formed the ground of controversy in the State court enacted that noncommissioned officers and privates in the militia who should neglect or refuse to serve when called into the actual service of the United States in pursuance of an order or requisition of the President should be liable to certain penalties, defined in the act of Congress of 1795. The judges concurring in the decision of the court did not concur in all the reasoning by which the conclusion was reached, and they seem to have coincided only in the decision the State law was valid. Washington, J., delivered the principal opinion. Johnson, J., gave a concurring opinion, and Story, J., delivered a dissenting opinion, in which another member of the court concurred.



Although neither opinion had the sanction of a majority of the courts as to all it contains, yet on many subjects discussed the judges all agreed, and as the several opinions contain the views of these eminent legists on these important questions they are entitled to the highest consideration. After stating his conclusion that the offense of disobedience to the President's call upon the militia is not exclusively cognizable before courts-martial of the United States, Washington, J., adds: "It follows, then, as I conceive, that jurisdiction over this offense remains to be concurrently exercised by the National and State courts-martial, since it is authorized by the laws of the State and not prohibited by those of the United States." There being no repugnance in the State law with the law of Congress, in his opinion, the conclusion he reached, after an extended examination of the case, was the State court-martial had a concurrent jurisdiction with the tribunal pointed out by the act of Congress to try a militiaman who had disobeyed the call of the President and to enforce the laws of Congress against such delinquent.

Johnson, J., conceded fully that concurrent power of legislation over the militia existed in the States with the National Government. Story, J., in the opinion he gave, was even more pronounced in the expression of similar views, and, in speaking of the power granted to Congress by the Constitution to call forth the militia to execute the laws of the Union and to organize, arm, and discipline the same, said: "It is almost too plain for argument that the power here granted to Congress over the militia is of a limited nature and confined to the objects specified in these clauses, and that in all other respects and for all other purposes the militia are subject to the control and government of the State authorities." All the judges concurred, as we understand their opinions, in the proposition that when Congress has once acted within the limits of the power granted in the Constitution its laws for organizing, arming, and disciplining the militia are supreme, and all interfering regulations adopted by the States are thenceforth suspended, and for the same reasons all repugnant legislation is unconstitutional. That principle applies only where Congress has assumed control of the militia under granted powers, and does not militate against the construction uniformly given to the Constitution by Kent and other writers, "That a State may organize and discipline its own militia in the absence of or subordinate to the regulations of Congress." It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted. The cases that support this doctrine are numerous and of the highest authority. (*Houston v. Moore*, 5 Wheat. 1; *Sturgis v. Crownshield*, 4 id. 122; *Livingston v. Van Ingen*, 9 Johns. 507; *Houston v. Moore*, 3 Ser. and Rawle, 170; *Opinion of the Justices*, 14 Gray, 614; *Gilman v. Philadelphia*, 3 Wall. 713; *United States v. Cruikshank*, 92 U. S. R. 542; *Blanchard v. Russell*, 13 Mass. 1; *Caldee v. Bull*, 3 Dallas, 386; 1 Kent's Com., 265, 389.) No case has been cited that holds a contrary doctrine except *Golden v. Prince* (3 Wash. C. C. R. 313), and what was said by the same judge in *Houston v. Moore*, supra. We are not aware that the opposite views expressed by Judge Washington in either of those cases have ever been followed by any court. In *Houston v. Moore*, Johnson, J., expressly controverts the proposition "that within the scope Congress may legislate the States may not legislate," and speaks of it as an exploded doctrine.

Nor do we think the reservation of the power "to the States, respectively, the appointment of the officers and the authority to train the militia according to the discipline prescribed by Congress," as suggested by counsel, puts any restriction upon the States in respect to the concurrent legislation concerning the militia. Mr. Justice Story, in speaking of that clause of the Constitution, says: "That reservation constitutes an exception merely from the power given to Congress to provide for organizing, arming, and disciplining the militia, and is a limitation upon the authority which would otherwise have devolved upon it as to the appointment of officers." Obviously that is all that clause of the Constitution does mean, and we adopt as our own view what that able jurist added: "The exception from a given power can not upon any fair reasoning be considered as an enumeration of all the powers which belong to the States over the militia."

But the principal argument is made on the other branch of the case, viz, that the act of the general assembly "to provide for the organization of the State militia" is repugnant to the laws of Congress on the same subject constitutionally enacted, and is for that reason null and void. Wherein the "spirit, intent, and effect of the Illinois statute is in conflict with the provisions of the act of Congress," as insisted on the argument, is not apparent. Neither in the title of the act nor in any of its provisions does it appear the object of the State law is in conflict with the National law. The first section declares "that all able-bodied male citizens of this State between the ages of 18 and 45 years, except such as are expressly exempted by the laws of the United States, or are State or county officers, or on account of their profession or employment are exempted by the commander in chief, shall be subject to military duty and designated as the 'Illinois State Militia.'" That is in exact conformity with the act of Congress of 1792, and what more could the legislature do? The contention of counsel is that an act of the State legislature to organize the militia, if in conformity with the act of Congress on that subject, "is inoperative and amounts to nothing," and if it differs from the act of Congress it is "equally inoperative and void." Assuming that to be a correct proposition—and if it is confined to the organization and arming of the militia called to enter the active service of the United States it is the law—then the act of the legislature is as comprehensive as it could constitutionally be made, so far as it purports to declare who shall constitute the whole body of the militia under the act of Congress.

The second section is a declaration of legislative intention on the part of the State to cooperate with the General Government in the matter of enrolling and organizing the entire militia of the State when it shall become necessary "to execute the laws, suppress insurrection, or repel invasions or quell riots, or when a requisition shall be made by the President of the United States for troops," and should be read in the light of facts historically known to all. For many years after the adoption of the Federal Constitution State laws provided for enrolling and training of the militia in conformity with the act of Congress. It was usual to have annual, and in some States more frequent, days for drilling and training, and persons liable to military duty were compelled to attend under penalties; but for a third of a century or more there has been very little effort, if any, made to organize and train the entire body of the militia, and all State laws designed to effectuate that purpose have either been repealed or suffered to fall into disuse. It has become the settled conviction in the public mind that militia training, as it was practiced in the States, was of no practical utility. Besides that, it would be a most gigantic and expensive undertaking to enroll and supply the entire militia of the United States with arms and ammunition, as provided in the act of 1792. The annual appropriation

of the sum named in that act for that purpose is insignificant as compared with the amount it would necessarily cost. As the laws now are, it is improbable the entire militia of the States will ever be enrolled or summoned for discipline under the act of Congress, unless some great impending danger shall make it necessary. When such an exigency does occur, this statute makes it the duty of the governor, as commander in chief, by proclamation, to require the enrollment of the entire militia of the State, or such portion thereof as shall be necessary, in the opinion of the President, and to appoint enrolling officers and to make all orders necessary to aid in the organization of the militia. Such a law is not in contravention of the act of 1792 or with any other act of Congress in relation to the organization of the militia, but is rather in aid of all such laws.

The remaining sections of the act, with the exception of those contained in article 11, relate to organization, arming, drilling, and maintaining the "active militia" of the State. The designation "Illinois National Guard," applied to the active militia, is a matter of no consequence, and the act will be construed as though it did not contain those words. That a State may organize such portions of its militia as may be deemed necessary in the execution of its laws and to aid in maintaining domestic tranquillity within its borders is a proposition so nearly self-evident that it need not be elaborated at any great length. "A well regulated militia being necessary to the security of a free State," the States, by an amendment to the Constitution, have imposed a restriction that Congress shall not infringe the right of the "people to keep and bear arms." The chief executive officer of the State is given power by the constitution to call out the militia "to execute the laws, suppress insurrection, and repel invasion." This would be a mere barren grant of power unless the State had power to organize its own militia for its own purposes. Unorganized, the militia would be of no practical aid to the executive in maintaining order and in protecting life and property within the limits of the State. These are duties that devolve on the State, and unless these rights are secured to the citizen, of what worth is the State government? Failing in this respect it would fail in its chief purpose. But what reason is there why a State may not organize its own militia for its own purposes? As we have seen, the State has the power of concurrent legislation with the National Government over the militia, when not in the actual service of the United States, within limits quite accurately defined in law as well as in the decisions of courts, both State and Federal. Certainly Congress has not exclusive jurisdiction over the militia not actually employed in its service. Congress may provide for "organizing, arming, and disciplining" the militia, but the appointment of officers and the authority to train the militia according to the discipline prescribed by Congress is reserved to the States. There can, therefore, be no efficient organization of the militia when not called into the service of the Union, without the cooperative aid of the States. Congress may not deem it necessary to exercise all the authority with which it is clothed by the Constitution over the militia. Historically we know there has been no efficient organization of the militia in this State within the last 30 or 40 years.

Mr. Story, in the opinion he gave in *Houston v. Moore*, said: "It would certainly seem reasonable that in the absence of all interfering provisions by Congress on the subject, the States should have the authority to organize, arm, and discipline their own militia. The general authority retained by them over the militia would seem to draw after it these necessary incidents." These were but an expression of his individual views, but anything written by that eminent jurist on this subject is entitled to great consideration, and as his views are an accurate expression of our understanding of the meaning of the Constitution in this respect, we adopt them as our own.

Judge Washington, in the opinion he gave in *Houston v. Moore*, conceded that if Congress did not exercise the power of providing for organizing, arming, and disciplining the militia it was competent for the States to do it.

Gibson, J., in the opinion he delivered in *Houston v. Moore* (3 Ser. and Rawle, 192\*) said: "It can not be questioned but that the Federal and State Governments have concurrent authority over the militia when not in actual service of the United States. Congress has power to organize and arm—a State may do the same. The Government of the Union may draw out the militia in any of the exigencies mentioned in the Constitution. A State may employ its own militia for its own purposes."

In the opinion of the justices (14 Gray, 614), after announcing their conclusion that the commonwealth could not constitutionally provide for the enrollment in the militia of any person other than those enumerated in the act of Congress of 1792, they said: "We do not intend by the foregoing opinion to exclude the existence of a power in the State to provide by law for arming and equipping other bodies of men for special service of keeping guard and making defense under special exigencies or otherwise, in any case not coming within the prohibition of that clause of the Constitution (art. 1, sec 10) which withholds from the State the power to keep troops." But, aside from all authority, on any fair construction of the Constitution, a law to organize the militia of the State for its own purposes, not inconsistent with any law of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders when the ordinary local officers are unable, on account of the magnitude of the disturbance, or of any sudden uprising, to accomplish the result. Our conclusion, therefore, is the general assembly might enact the law in question, and that its general scope and effect are not in antagonism with any act of Congress on the same subject. Although, in minor matters of detail in the organization of the active militia of the State, some regulations might be found not in harmony with the act of Congress, the utmost that could be said would be that they would give way to the paramount laws of the United States.

That being the case we might here close the discussion, for if the law in relation to the militia in the main is a constitutional enactment, it would be a sufficient warrant for the conduct of defendant, notwithstanding some minor regulations might be invalid because in conflict with the laws of the United States.

But, as we have been urged by both parties to do so, we will briefly state our views on some of the most important provisions and regulations found in the State law which, it is insisted, are in conflict with acts of Congress, and for that reason render the whole act inoperative and void. We will be assisted to a clearer understanding of the remaining questions to be discussed, by keeping in mind a few propositions which are so plain as to admit of no controversy:

1. The repugnances alleged to exist in the Military Code of the State with the acts of Congress, are all to be found in those sections of the statute which relate to the organization of the active militia when organized for State purposes, and not to those sections which



relate to the entire body of the militia, nor to the militia when called into the service of the United States.

2. The acts of Congress prescribe essentially different regulations for the organization of the militia when called into actual service, and for the organization for training under State authority. Many of the latter seem to be only directory, while the former all appear to be mandatory.

3. When not in actual service the act of 1792 provides "the militia of each State shall be arranged into divisions, brigades, regiments, battalions, and companies, as the legislatures of the States may direct."

4. Nonessential differences in the regulations as to militia not in actual service of the Union, contained in a State law, with acts of Congress, will not render the former invalid.

It is no valid objection to this act of the legislature that it does not require the entire militia of the State to be enrolled as "active militia." Counsel do not wish to be understood as claiming that no militia law is valid unless it provides that each and every male inhabitant of the specified age should at all times be armed and equipped and engaged in drilling and maneuvering. But the argument made is, that the performance of military service in times of peace can not be legally confined to a select corps consisting of a limited number of volunteers to the exclusion of all other able-bodied male residents of the State. The argument admits of several conclusive answers that may be shortly stated: (1) It is a matter dependent on the wisdom of Congress whether it will provide for arming and disciplining the entire body of the militia of the United States; (2) the citizen is not entitled under any law, State or Federal, to demand as a matter of right that arms shall be placed in his hands; and (3) it is with the legislative judgment of what number the active militia of the State shall consist, depending on the exigency that makes such organization necessary.

Mr. BRANDEGEE. Mr. President, to my mind that case, if it is authority—and I think it is—decides distinctly that what we call loosely "the National Guard" is a State militia, officered by the States and trained by the States, subject to the declaration by Congress of the kind of discipline that is to be applied in the process of training. But the training and the officering are reserved distinctly to the States. This bill, if I comprehend it, attempts to put the State militia under the control of the President of the United States and turns over to the General Government the training of those troops.

Of course, I am aware that this subject is going to be debated at great length, and I do not care to enter upon any extended discussion of it at this time, but I did want to put that case in the RECORD.

I have here three very able articles on this subject, written by ex-Secretary of War Stimson, which I would like to have printed in the RECORD in connection with my remarks, provided they have not already been printed. I am not sure but that they may have been printed in the House proceedings. The printer will know; and if they have been, of course I do not ask to have them inserted again.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

H. L. STIMSON ANALYZES THE ARMY BILLS—THE ADDITIONS TO OUR LAND FORCES NOW BEING CONSIDERED BY THE SENATE AND THE HOUSE.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]  
(First article.)

MARCH 15, 1916.

TO THE EDITOR OF THE NEW YORK TIMES:

You have courteously asked me for an expression of my views in regard to the military bills now pending before Congress. I am glad to comply, although any such expression must necessarily deal only with the salient points of a very complicated mass of proposed legislation.

At no time since the beginning of the Government has there been such fundamental and general overhauling among thinking people throughout the world of the postulates of military system and policy. The great European war has driven home to us even in America the fact that the last half century has completely revolutionized national methods of making war. As a consequence, the foundations of our own policy have been submitted to a scrutiny and criticism which they probably have not received before, even in the stress of our own wars.

Unfortunately, the effect of this has been manifested in Congress later and less thoroughly than among the people of our Atlantic seaboard, and thus, though the pending bills show the beneficial results of the agitation, it has not been sufficient to save us from some fundamental errors.

#### AS TO THE REGULAR ARMY.

So far as the Regular Army is concerned, the agitation for preparedness has had, on the whole, gratifying results. Mr. HAY, of the House, who originally proposed to add no new regimental units in the Army but merely to raise the number of enlisted men in the existing regiments, has now reported a bill which contains increases substantially corresponding with Secretary Garrison's recommendations. Mr. CHAMBERLAIN, from the Senate, goes much further, and reports a bill which presents substantially the increase recommended by the General Staff. If the House bill becomes a law, we shall have 10 new regiments of Infantry and 6 new regiments of Field Artillery, besides 15 new companies of Engineers and 52 new companies of Coast Artillery. If the Senate bill becomes law, we shall have 34 new regiments of Infantry, 10 new regiments of Cavalry, and 15 new regiments of Field Artillery, besides 92 additional companies of Coast Artillery and 6 entirely new regiments of Engineers. Mr. HAY's bill would give us, within the continental United States, 3 Infantry divisions and 1 Cavalry division, besides an additional Cavalry brigade. This is the same number of tactical organizations which we have at present, but our present divisions are partly skeletonized and lack the requisite number of regiments to make them complete. Mr. HAY's additions would complete them.

Mr. CHAMBERLAIN's bill would give us within the United States 4 Infantry divisions and 2 Cavalry divisions. A fair argument can

be made for each of these propositions. Having in mind merely the military needs of the country, preference should be given without hesitation to the larger proposal. The Regular Army under both plans is to be our first line of defense, and in our rapidly growing country a mobile force inside the United States of 4 divisions of Infantry and 2 divisions of Cavalry, or from 100,000 to 140,000 men, according as the units are at peace or war strength, is certainly none too large for that purpose.

The reasons which are cited against the larger and in favor of the smaller proposal are, first, the supposed impossibility of recruiting under our voluntary system the additional men necessary for Senator CHAMBERLAIN's proposal, and, second, the fact that we have not in existence sufficient accommodations in our posts for such a number and that the cost of building such accommodations would be very great. The Senate bill proposes to meet the first of these difficulties by changing our faulty enlistment law so as to permit men to be furloughed into the reserve after two years' service or even after one year, in the case of such men as are reported as proficient and sufficiently trained by their company commanders. Our present law requires a maximum of four years and a minimum of three years with the colors before they can be so furloughed. Experiments have been made with provisional companies, troops, and batteries of the Regular Army which have indicated that not only can the men be sufficiently trained within the shorter period but that there can be developed in this way a much greater interest and stimulus among both the men and their officers. Most of our progressive officers believe that under such a system of reward for proficiency and good conduct the Regular Army might be made to appeal to a class of men which it does not now reach and that enlistments would be very greatly increased if these better men felt that by applying themselves diligently they could get the requisite training and an honorable discharge after a year's service. I have long been of that opinion myself, and I believe that this is one of the strong points in favor of the Senate bill.

So far as the difficulties of housing the Army are concerned I am inclined to think that this could be made a blessing in disguise. It would make it necessary for us to devise a system of housing large masses of troops in cantonments instead of supporting them at many small and expensive posts. We faced just such a problem when we mobilized a division on the Mexican border at Galveston in 1913, and we solved it with fair satisfaction and with comparatively little expense. Although placed in a very uncomfortable situation, owing to the military exigencies of the mobilization, the men and officers built their own cantonments, and the bulk of them have remained on the border ever since.

If we had to face the problem of housing an additional division or two of troops it would necessarily force us to house them in a more practical and less expensive way than at present. And it would result, in my opinion, in the new units being kept together instead of scattered. This would be an incalculable advantage from the military standpoints of training, discipline, and usefulness.

#### RESERVE OFFICERS.

One of the great needs which have been made clear by the public discussion of military matters of the last year has been our shortage of officers and the necessity of establishing a system of reserve officers upon which the President can call in case of war, both to take junior positions in the Regular Army and to help officer the volunteer or citizen army upon which the Nation must rely in any serious emergency. Both the Senate and the House bills have provisions for establishing such a reserve officers' corps, but each follows a different method. The Senate bill provides for the organization of courses at our universities and colleges and other educational institutions at which students may receive either elective or compulsory instruction in military training under officers of the Army detailed as professors of military science and tactics.

It then provides for reserve officers' training camps where such students can receive further training out of doors, and finally provides for temporary commissions as second lieutenants in the Regular Army, by which such reserve officers can be given practical instruction in that best of all schools—the Regular Army—for a period not exceeding six months.

The House bill, on the other hand, provides for the establishment of 30 cadet companies to be attached to the various branches of the Army, in each of which from 50 to 100 cadets between the ages of 20 and 27 years, and recruited from officers of the National Guard and graduates of educational institutions to which regular officers are detailed to give instruction, can receive a year's training, after which they at once become members of the officers' reserve corps.

While it is perhaps a fair matter of argument as to the merits of either system, I am personally inclined to the belief that more satisfactory results will be obtained through the Senate program. It seems to me that it will appeal to a more broadly and better educated class of men and that it will permit more intensive as well as more flexible training. A member of a cadet company who is trained for a year straight in such a company must necessarily spend a large part of that year in garrison or posts where much of the duty to be performed is mechanical and a matter of routine. While it is important that every officer should be thoroughly grounded in such duties it is also true that with the class of men which we should hope to get as reserve officers the time spent in such routine and garrison duty need not be nearly so long as is necessary to train recruits of a less intelligent class. It is much more important that we should get for our reserve officers a class of men who not only have the capacity for the higher branches of study which are now so necessary in modern warfare, but who have spent a requisite amount of time on such matters rather than on mere garrison drill.

Finally, the chance of serving for six months as an officer in the Regular Army, which is provided by the Senate bill, will give a training in responsibility to a serious and ambitious man which service in a cadet company could not possibly do.

The foregoing, I think, are the most salient provisions of the bill, so far as they concern the Regular Army. There are other features in each bill which are of great importance, but for the most part they are not matters of general interest. The Senate bill provides for a tactical organization by brigades and divisions. It increases the number of the General Staff and provides for additional general officers of the line. These are all good provisions. On the other hand, the numbers which it prescribes for certain units, particularly in the case of machine-gun companies and troops, are much below those indicated as necessary by the experience of the European war, and in this respect the Senate bill is inferior to the House bill. On the other hand, the House bill in providing for admission to the Regular Army of new officers of the grade of second lieutenants gives a preference to officers of the National Guard over enlisted men of the Regular Army



and members of the Officers' Reserve Corps. This is a reversal of the present law, and I do not believe it is just to the enlisted men in the Army. Under the House bill enlisted men are also required to take examinations for commissions, while no such requirement seems to be exacted of officers of the National Guard. As a rule, candidates for a commission who have served an enlistment in the Regular Army are better grounded in the rudiments of the training necessary for a junior officer than are officers of the National Guard. As the bill now stands it would be quite possible for a man to obtain an election as an officer of a National Guard organization and then to enter the Army practically without examination, taking precedence over specially qualified enlisted candidates and over members of the Officers' Reserve Corps. I think this is unsound, and would tend to break down the provisions for officers' training, which the bill in other portions seeks to establish.

The House bill also contains some provisions, particularly in section 8, which will tend to narrow and restrict the wise system of detail in the staff departments, and would thus tend to a reversion to the system of permanent departmental staffs which existed before the Spanish War, and which was terminated by the reforms of Secretary Root.

Taken as a whole, therefore, the general treatment of the Regular Army and its problems by both bills is an improvement over existing legislation and would tend to give us a larger and better Regular Army than we could have expected a little while ago. Provisions of the Senate bill follow much more closely the recommendations and views of our military advisers, the General Staff, and that bill, while far from perfect, is consequently more free from imperfections than the other.

HENRY L. STIMSON.

THE PROPOSALS TO "FEDERALIZE" THE MILITIA—WHEREIN THE BILLS BEFORE THE SENATE AND HOUSE FAIL TO PROVIDE THE MEASURE OF DEFENSE NEEDED.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]

(Second article.)

NEW YORK, March 17, 1916.

TO THE EDITOR OF THE NEW YORK TIMES:

In my previous letter I discussed the provisions of the bills pending before Congress relating to the Regular Army. What I regard as the most serious and dangerous provisions in the proposed legislation are found in the remaining portions of the bills which relate to our citizen soldiery. This is also the most important part of the program of national defense. The function of the Regular Army in the scheme of national defense is narrow. It is the nucleus and pattern with the aid of which we are to train our citizen soldiers, and it is to serve as the meager first line to delay and hold off an invasion while the citizen forces are mobilizing. The ultimate safety of the country has always depended and must in future depend upon the efforts of men who are not professionals, but citizens leaving civil pursuits to serve their country in time of war.

Our Federal Constitution provides clearly for two classes of soldiery—the one national and the other local; the one organized and controlled exclusively by the National Government, the other primarily a force which belongs to the separate States, although it is subject to national use under certain conditions. The power to raise national forces is broad enough to include all kinds of soldiery, both professional and citizen. Under it we support our Regular Army and under it, in nearly all our wars, we have raised forces of citizen soldiers, either as volunteers or under the draft. Gen. Upton, our foremost military writer, speaks of this constitutional authority as "unqualified" and as giving "every war power that the most despotic ruler could ask."

On the other hand, the authority given by the Constitution over the local forces or militia of the several States is narrow and restricted. They can only be called into the service of the General Government for three purposes, namely, "to execute the laws of the Union, suppress insurrections, and repel invasions." Congress has power only to enact the general statutes providing for their organization, arms, and discipline, while to the States is entrusted the administration of such statutes, and to the States is reserved expressly the power of appointing the officers and training the men. While the President is the Commander in Chief of our national forces at all times under the Constitution, he commands the militia only when "called into the actual service of the United States."

This distinction between local and national forces goes back to the very beginning of the Government, and as the country has grown larger the necessity for the distinction has grown more acute. There have always been men in the country who, while they could and would serve for home defense, nevertheless found it a great hardship, owing to their business or domestic ties, to undertake to serve anywhere and under all conditions. On the other hand, there always have been other men, usually younger, to whom the distinction was of no such importance. I think it is safe to say that to-day, when the New York militia are confronted with the possibility of being sent 2,000 miles away to the Rio Grande, this old question presents itself to the various men of those organizations in quite as sharp colors as it did in the Revolution, when the militia of New England were reluctant to serve in New York, and Washington was writing to Joseph Reed of the "desire of retiring into a chimney corner" which had "seized the troops of New Hampshire, Rhode Island, and Massachusetts."

The very training of our militia has taken on a character suited for home-defense troops with domestic ties rather than for national troops. We drill them at night, once a week, in the armory instead of sending them out into the field for several months of consecutive, intensive training, and have thus adopted a way which is the least effective method of teaching a man to be a soldier.

Now the European war has suddenly brought us face to face with the fact that we must have a national force of citizen soldiery, trained in time of peace to stand behind the Regular Army in time of war, whenever and wherever it may be needed. We have suddenly learned that the progress of military science makes it impossible for us any longer to wait until the outbreak of war before we begin to train and discipline such a citizen army. At the same time the experience of our young men in the students' and business men's camps has shown that there are thousands of Americans outside of the militia ready to make the sacrifice necessary for such preparation, and that, under the conditions of intensive training in the field and under the guidance of regular officers, they can make greater progress in learning how to be soldiers in even one month than they can in three years of weekly armory drills in the militia.

Under these circumstances, the natural and constitutional method to follow would clearly seem to be to establish a force of national volunteers under the national powers of the Constitution, leaving it free for such units of the National Guard as may desire to do so to transfer themselves from the militia to this new force, while the others,

composed, perhaps, of a different class of men, retain their old status of militia and play their old part as a home defense.

There ought to be no real antagonism between these two classes of citizen soldiery, and I do not believe there would be. Each would have a separate and an honorable part to play in the scheme of national defense, and each could do it without either straining the Constitution or disrupting the occupations of their respective members. The men who were young and foot free would naturally go into the national soldiery; the men who were older and more tied down would remain in the militia.

Instead, however, of taking this apparently simple and natural course, both the Senate and House bills contain elaborate provisions aimed to "federalize" the militia.

By this it is proposed that we shall still retain them as militia, and yet will try to increase the power of the Federal Government over them, so that we can use them as first-line national forces.

In their attempt to do this it is inevitable that the authors have inserted many provisions whose constitutionality—to put it most mildly—is very doubtful. The whole effort is an attempt to give the Central Government an authority over the militia which it has not been hitherto believed to have.

But for the purpose of this discussion I shall not argue any of these doubtful questions, but shall only endeavor to point out that under the restrictions of the Constitution, which are admitted and clear, such an attempt will be a failure in its results from a military standpoint. It will not provide the measure of national defense which, in this year of grace 1916, we are all aiming to get.

The two perfectly clear limitations which the Constitution puts upon the use of these State troops by the Central Government are, first, that they can only be used by the Federal Government for the three purposes above mentioned, and, second, that they are under the direct command and control of the President only in time of war, after they have been called into the service of the United States; that in other times they are under the command of the governors of the separate States. These two limitations—divided control and limited use—are violative of the first principles of military efficiency as applied to a national army. We do not have to speculate about this or to argue from the experience of other nations. We have tried it ourselves in our own history under the same Constitution and with the same divided control over our militia, with results so disastrous that it seems inconceivable that we should want to make such a system the keystone of our arch of national defense. We tried to fight the War of 1812 in a large part with militia, and it was the most disastrous war in our history. On April 10, 1812, Congress authorized the President to call upon the governors of the States for 80,000 militia. The War of 1812 against England was unpopular in New England—just as a war here against any one of the European nations would be unpopular in certain parts of the country. The governors of Massachusetts and Connecticut refused to furnish their quota or to obey the President's call. They were backed up in this by the Supreme Court of Massachusetts, which held that the State authorities and not the President were to judge whether the exigency requiring the services of these militia existed. A quarter of a century later the Supreme Court of the United States decided this question contrary to the Supreme Court of Massachusetts, but that was a matter of cold comfort when an enemy was threatening and the troops were needed. The same practical difficulty would exist to-day in case the authorities of any State refused. What is needed under such circumstances is not a lawsuit or a writ of mandamus, but the undisputed authority of a single commander in chief to order the men to obey on the pain of death, and no such power exists in the President of the United States over militia troops which are not yet in his service.

In September, 1814, a British force invaded New York and began an attack on Plattsburg. The American commander, Gen. Macomb, called upon the governor of Vermont to send troops to his assistance from across the lake. This governor, Martin Chittenden, was an opponent of the war. He declined to comply. The Vermont militia were anxious to go to the help of their compatriots, but could get no order to do so. In the language of the historian Ingersoll:

"An officer of the militia, Gen. Newell, tendered his brigade to the governor to repair to Plattsburg or anywhere else to oppose the enemy, to which the governor's cold-blooded answer was that he had no authority to order the militia to leave the State. On the 6th day of September, the cannonade then begun was distinctly audible at Burlington and at Gov. Chittenden's residence at Jericho. But housed and recreant, the chief magistrate still held off, when the people on their own spontaneous motion in numbers crossed the lake and following the cannonade hurried to Plattsburg without distinction of party to render their services for their country."

Unfortunately the militia were not always as patriotic as these men of Vermont. On October 13, 1812, Gen. Van Rensselaer had assembled a force consisting of about 900 Regulars and 2,270 militia on the New York side of the Niagara River for the purpose of attacking a British fort across the river on Queenstown Heights. Early in the morning he sent over the Regulars and a few of the militia to surprise the British. The attack was completely successful, and the Americans took possession of the fort. Later in the day the British commander assembled reinforcements and began an attempt to retake it from the Americans. Gen. Van Rensselaer then sought to bring over the rest of his force to the rescue of the sorely beset advance guard. But, in the language of Gen. Upton:

"The rest of the militia on our side of the river, although ordered and implored by their commander, absolutely refused to cross over, under the plea that, according to the Constitution of the United States, they could only be called out to resist an invasion."

During the rest of that day these men stayed on the bank on the American side and watched their comrades driven out of the fort, down to the river's bank, until they were killed or captured to the last man. Gen. Van Rensselaer, in his report of the action, said:

"I can only add that the victory was really won, but lost for the want of a small reinforcement; one-third part of the idle men might have saved all."

In precisely the same way during the same year a body of Ohio militia refused Gen. Hull's order to cross the boundary at Detroit, "alleging as a reason that they were not obliged to serve outside of the United States." Still another force of militia under Gen. Dearborn refused to cross the line at Plattsburg for the same reason, and still another force acted in the same way under Gen. Smyth.

It is idle to say that such things could not happen to us to-day. These incidents were not the result of chance; they were the fruits of faulty methods. American soldiers in 1812 were no less brave and patriotic than they are to-day. The American people to-day contain within them many more discordant elements than they did a century



ago, and the governors of our States in the twentieth century will be quite as quick to listen to local political considerations as those New England governors were during the War of 1812. Indeed, it was less than two years ago when the governor of South Carolina disbanded his entire militia force in order to block the attempts of the National Government to restore discipline out of chaos in those South Carolina militia. It is as true to-day as when Washington was writing from Valley Forge that the safety of this country as a Nation can only be maintained by national forces under undivided national control.

In my next letter I shall endeavor to discuss in more detail how the provisions of the pending bills have failed to meet this national requirement.

HENRY L. STIMSON.

THE WAY TO A REAL ARMY OF CITIZENS—ONE SECTION OF THE SENATE BILL OFFERS AN OPPORTUNITY NOT FOUND IN THE "FEDERALIZATION" OF THE MILITIA.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]  
(Third and last article.)

NEW YORK, March 20, 1916.

TO THE EDITOR OF THE NEW YORK TIMES:

In my last letter I discussed the attempt of the House and Senate bills to "federalize" the militia from the standpoint of our military experience in the War of 1812. I pointed out that the experience of that war conclusively demonstrated the weakness of the system of divided control and of limited use under which our militia is placed by the Federal Constitution. I tried to point out how such a force under such divided control inevitably broke down in time of war.

This defect of divided control can be demonstrated to be as fatal to the development of the numbers and efficiency of a national force in time of peace as the experience of 1812 showed it to be fatal to the fighting ability of such a force in time of war. The underlying proposition of both the bills proposed in the Senate and the House is that the Federal Government shall purchase the authority over these State troops which the Constitution has failed to give it as an original right. The authors of these bills apparently recognize, as indeed they must, that the power of the President to command the militia is limited by the second section of article 2 of the Constitution to those times when they are "called into actual service of the United States," and that by article 1, section 8, there is reserved to the States the "authority" to "train the militia" in time of peace as well as to appoint the officers. The bills, therefore, provide a system of payments from the Federal Treasury. It is then argued that although the President can not compel obedience to his orders to the State troops in time of peace by force, he can, by withholding these appropriations from the Federal Treasury, purchase their obedience and discipline.

This would be considered a singular doctrine amongst the students of military science in other countries. And yet, singular as it is, there are already in existence precedents in our own experience which will demonstrate its foredoomed failure here with almost mathematical certainty.

We judge our success in the development of a national force of volunteers by their readiness to enlist and their resulting numbers on the one side and by their efficiency and discipline on the other. Our own experience with the method of Federal payments to the militia has already demonstrated that it is a failure in both of these directions.

In 1903, under the Dick law, we instituted the policy of making payments to the National Guard for the purpose of recruiting up its numbers and improving its discipline. These appropriations covered not only arms, ammunition, and supplies, but pay, subsistence, transportation for the men during their maneuvers in the field, and also aid to the various State encampments as well as to the joint maneuvers. Beginning with appropriations aggregating about two and one-half millions a year they were steadily increased until we are now paying six millions a year to the militia. Simultaneously the numbers of the Guard have diminished in comparison with the population of the country. Money has failed to give us numbers. In 1903 the National Guard consisted of 116,542 officers and men. In 1915 it consisted of 129,398 officers and men. The population of the country by the census of 1900 was less than 76,000,000. In 1915 it is reported as over 100,000,000.

In respect to efficiency and discipline I take the following from the official reports: In 1915, 564 officers and 19,382 men were absent from the annual inspection. During the year 1914 the average number of men absent from each weekly drill of instruction was 63,201, or nearly 50 per cent of the entire strength of the Organized Militia. The amended Dick law required the attendance on the part of the men of the militia at 24 drills during the year. Thirty-seven per cent of the militia failed to attend this absurdly low minimum requirement in 1914. At the last Federal inspection the instruction of 330 companies, or equivalent units, was rated as poor, and 932 companies were below the standard of efficiency. In 1914 only 34.8 per cent of the National Guard qualified as second-class marksmen or better. In other words, only about one-third of our Organized Militia could shoot well enough to be rated as indifferent marksmen or attain the lowest standard recognized in our military shooting.

Again, the standard of care and the responsibility which the National Guard has shown in respect to the Federal arms, uniforms, and equipment which have been issued to it under the Dick law has been so low that there is now a total shortage of \$1,352,761 of such property issued to it, as to which the Federal authorities are unable to get either a report of the property or a proper accountability as to its disposition. Four years ago, in 1912, drastic steps were initiated by the Secretary of War to reduce such shortages. Under the system of divided control it has been found practically impossible to accomplish this. In the case of many States the shortages are so great that if they were charged against the Federal appropriations coming to such States there would be nothing left for rifle practice or camps of instruction or any other training for several years to come. This would mean that to apply the discipline of this method of purchasing efficiency would result in depriving the States of some of the vital elements of training which they can not afford to lose. In other words, the system proposed by these bills for extending the authority of the Central Government over the militia by Federal payments has been tried and has failed. It has failed in respect to numbers, in respect to marksmanship, in respect to discipline, and in respect to equipment.

It would, of course, be unfair not to remember that there are some militia organizations to whom these criticisms do not apply. Our best militia regiments have attained a degree of soldierly efficiency and patriotic devotion to duty which, in view of the handicaps of system under which they labored, is in the highest degree commendable. It is

particularly gratifying that the State of New York in this respect stands at the top. But when a system is proposed for the development of a national force, it should be judged by its results throughout the Nation. It must be judged not by the exceptions but by the average, and judged by the average this system is a failure.

This failure lies at the root of the system proposed in the two bills. There is no use in enacting, as the bills do, that the militia must keep up to certain standards when there is no way provided of making it keep up to such standards except a way that is a proved failure. It is absurd to provide that hereafter the President may direct the militia to recruit its companies up to maximum war strength when hitherto, under the same system, he has been unable to keep it up even to a minimum strength. Thus the report for 1915 showed that the infantry of the militia of the country was 21,571 men below the minimum enlisted strength required by law. If the President has been unable to purchase compliance with this low standard in the past, how can he be expected to purchase compliance with a higher standard in the future?

It is true that the present bills propose to remedy this evil by increasing the Federal payments. But such a remedy does not touch the real evil. It still leaves the Federal Commander in Chief in the position of a benevolent adviser with no power to command. The administration of his plans is in the hands of people over whom he has no control. The Federal Government can advise, can make general regulations, can scold and threaten to withhold the pay, but the vital functions of administration, of giving the orders and seeing that they are obeyed, is in the hands of the State governors and their subordinates. Dollars spent without the direct power to see to their application are dollars wasted.

So far as the numbers of the militia are concerned, there is an additional reason why they can not be kept up; a reason which the proposed bills not only do not remove but, on the contrary, perpetuate. The main reason which keeps down enlistments in our National Guard is the liability of the militia to strike duty and the consequent antagonism which has grown up on the part of our laboring men against this form of military service. It is this hostility on the part of the men upon whom the Nation should most rely for its national defense which keeps down the numbers of our State militia. So long as it remains State militia and remains liable to this kind of police duty, it will be difficult if not impossible to keep its numbers full. The present bills expressly continue that liability. The House bill contains a provision in section 26 "that nothing contained in this act shall be construed as limiting the rights of the States and Territories to the use of the National Guard within their respective borders in time of peace."

This is the real reason why in Great Britain, where the territorial army is really a national army and not a local police, five young Englishmen enlist where only one young American enlists in our National Guard, and why in Canada six young Canadians enlist in the national guard where one young American enlists in ours. So long as we persist in this faulty system, so long as we try to make the same man do duty as a national soldier and at the same time as a State policeman, we shall fail, even with the aid of individual pay, to bring our enlistments up.

On the other hand, the introduction of such a system of individual pay unconnected with any field duty will introduce a most serious evil into our body politic. Under the new bills, the National Guard officer and soldier will receive individual pay not directly connected with outdoor service or with the specific performance of any military duty. He will be on the annual pay roll of the Federal Treasury subject only to certain conditions which may not be rigidly enforced. This will thrust the National Guard into politics. It means the creation of another vested interest in the pork barrel. Some of the provisions of these bills seem almost purposely designed toward the accentuation of such an interest. In the House bill is a provision which forbids any militia organization to be disbanded without the consent of Congress. In other words, no matter how low the standard of discipline may sink in such a regiment or company, its commander in chief, the governor, can not discipline it by mustering it out without the consent not of the President or the Secretary of War, but of Congress. If the Congressman from that district has a number of loyal supporters in that regiment on the pay roll of the Federal Treasury, the consent of Congress will be hard to obtain. No provision could be more skillfully adapted to turn what is ostensibly a system of military pay into a system of congressional patronage.

In 1912 a minority of the same House committee which now recommends this legislation filed a minority report in which, unless I am mistaken, Mr. HAY himself concurred, which uttered this solemn warning on the dangers of such legislation. After stating that it was "a measure that is pregnant with greater possibilities of evil in a financial way, and that gives less assurance of compensating advantages of any kind than any measure that has ever been enacted by Congress with regard to the State militia," the report went on to say:

"The minority making this report is convinced that the legislation proposed by the pending bill is not only unwise, but that it is dangerous in the extreme. Rather than enter upon a legislative course that will inevitably entail upon the General Government an enormous expense, which may be found in dire emergency to have been wasted, a course that will surely lead to the creation of a great military force that will become so powerful politically that Congress will be no more able to resist its demands than it has been to resist the demands of the far less compactly organized and manageable army of pension applicants and their friends, this minority would favor a reasonable increase of the Regular Army, leaving the States to maintain their own troops in their own way and at their own expense without any aid whatever from the United States." (Rept. 1117, Pt. II, 62d Cong., 3d sess.)

For the reasons which I have given in this and my preceding letter, I fear that the attempt to build up under the militia provisions of our Constitution a national army as an immediate line of defense behind the Regular Army will meet with failure; that under it in time of peace there can not be developed the numbers or the efficiency necessary for such a purpose, and that in time of war the same dangers will be encountered which made our experiment in 1812 so disastrous.

There has been, however, reported in the Senate bill as section 58 a provision which, if enacted, would open the door toward the creation of a truly national army of citizens. We have already in existence, enacted in 1914, a statute which permits the President in time of war to raise an army of Federal volunteers wholly under the discipline and control of the Federal Government. The operation of this statute is limited to time of war. It has now been abundantly shown by the discussion of the past year that it is too late to wait until the opening of war to raise such a force of volunteers. The requirements of modern war would make such a course disastrous to any nation which tried it. Therefore, in section 58, the Senate bill proposes to permit the President to organize and train such a force in time of peace. Under the



section there is wisely left to the President a certain amount of discretion in respect to the term of enlistment, the period of training, and of service with the colors and with the reserve, which will permit not only experiments to be made to determine which methods will be best suited to our needs, but will permit different methods to be used according to the requirements of the different parts of the country and the varying needs of an urban or rural population. If this section becomes law I believe that we could successfully lay the foundations of a really national reserve. We could feel our way so as to do no injustice to existing institutions or faithful and effective militia organizations. And yet we should be upon the right military and constitutional road. Coupled with the provisions which are also fortunately in both bills providing for the development and encouragement of our present system of military training camps for students and business men there would be laid the foundations for gradually building up an intelligent and effective system of citizen soldiery—a force which could absorb such units and men of our present militia as desire that kind of service and leave other units and other men to be developed along the line of home defense. Along that road, I believe, lies the wisest solution of our present problem.

HENRY L. STIMSON.

Mr. SMITH of Georgia. Mr. President, of the three distinct classes of troops provided in this bill, I hope we will adopt the first and the third, striking out the provision in section 56 for the second. I do not believe that 30-day-a-year trained men will amount to any efficient force or be any substantial contribution to the armed forces of our country; and I think it would be far better to spend what money is spent to develop the Regular Army and the National Guard.

Now, Mr. President, I wish to say just a word about the National Guard. I have had occasion to call out the National Guard and see them called out in my own State, and for the length of training and service they have had I know they make splendid soldiers. I believe that with some eliminations from the provisions of this bill applicable to the National Guard, and some additions, they can be greatly strengthened as an effective force.

One of the provisions to which I call attention—and there are others upon the same line, though perhaps not quite as shocking—is the provision in section 71 which requires that each member of the National Guard shall sign an agreement that—

In the event the President of the United States shall order the National Guard into active service because of actual or threatened war within three years from the date of enlistment I agree to serve as a member of the National Guard in the service of the United States within or without the continental limits of the United States for the period of three years.

Then, again, a little later on, is the provision that all of this act, so far as compensation to the National Guard is concerned, depends upon the signing of the agreement to serve without the continental limits of the United States. I do not believe the Constitution contemplated their serving without the limits of the United States except to repel an invasion by temporarily invading some other country to prevent the invasion of our own country, and I do not believe that a member of the National Guard should be required to sign the proposed agreement. I do not think I could give my consent to vote for a measure which required such an obligation from a member of the National Guard. I think it is an effort to force the National Guard into a contract to do that which the Constitution does not permit Congress to require from a member of the National Guard.

I trust we may make amendments along the line of the amendment suggested by the Senator from Iowa [Mr. CUMMINS], which will permit some of the officers of the National Guard to serve upon the General Staff or in the War College; and I think there ought to be one or more officers of the National Guard in the particular division of the War Department which has charge of the National Guard. I think their work and the difficulties which surround their work should be better understood by the division of army headquarters which controls and directs their work. I think a more sympathetic support from that division to the National Guard would strengthen and help them, and broaden those in charge in the War Department.

Mr. President, if we do rely upon the first provision—the Regular Army and the National Guard—what will this bill give us? This bill contemplates the increase of the Regular Army to 175,000 or 180,000 men with the colors with a possible 250,000; and under its provisions in a few years we ought to have 400,000 reservists who have been trained until they are thorough soldiers. The bill wisely provides that the General Staff may have all the time at least a paper organization of the reservists. It provides a plan by which the General Staff will know who are still reservists and where they are. It keeps the reservists in shape where they can be quickly called into active service; and it will give, in a few years, a force of 400,000 men who have had training as soldiers, who can be called at once to the colors in case they are required.

I think these provisions of the bill are such that those who have done the work upon it ought to receive from us our fullest

appreciation. If they limit the force to 180,000—and I do not know what the pleasure of the Senate will be upon that subject—it would still develop in a few years a reserve of 400,000 men; and that reserve consists, under the plan of this bill, of men who have been trained to efficient work as soldiers. Although they receive only \$24 a year, the expense to the Government being very small, it still gives, if we need them, a splendid body of trained men who in almost no time—in 30 days—could be called to the colors and quickly organized, as the bill provides that their nominal organization, though they are not with the colors, is to be continued all the time.

Mr. President, I especially desire this evening to call attention to one amendment that I have offered to that part of the bill which applies to the Regular Army. It is the provision which brought laughter or smiles from some Senators when it was read on yesterday, but which I intensely favor and from the work of which I have great faith that much good will come. It is the amendment providing that so much time as can be taken without interfering with their military training shall be given to study and to instruction for the private soldiers while they are with the colors, with a view of fitting them for civil life. It provides that vocational instruction shall be given to the private soldiers in agriculture and in mechanical arts. It provides that the Secretary of War shall provide rules and regulations for the conduct of this instruction.

Is it feasible? Surely no one will question the value of such instruction if it is feasible and practicable.

I shall have the privilege a little later during this session of bringing to your attention our vocational education bill, which has been worked out by the commission appointed by the President 18 months ago under a joint resolution of Congress, and I trust the bill will be approved by the Senate and also by the House. I think it will be.

There is no question of greater importance for our national life than the better preparation of our young men for the work in which they will engage. The power of the German Empire to-day lies in the vocational instruction which has been given to its men. The thoughtful business man engaged in commerce, the thoughtful business man engaged in manufacturing enterprises, to-day approves the modification of our system of education and calls for more time to be given to pedagogical instruction of the young, specializing them for particular lines of work.

It has been recently pointed out by a large gathering of our most thoughtful business men that part-time studies for those under 19 who go into work of any kind are essential for their development for life; and I am gratified to say that especially in the State of Wisconsin there is the fullest recognition of the fact that part-time instruction on vocational lines, particularly for those who before the age of 20 engage in occupations looking toward support, is absolutely essential if we are to develop our young men, and our young women also, to their fullest capacity, not only for the welfare of individuals but as a great economic problem involving our entire country, and as a great problem of better developing the citizenry of our country.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. Certainly.

Mr. VARDAMAN. I should like to ask the Senator if his amendment provides for compulsory teaching?

Mr. SMITH of Georgia. It does.

Mr. VARDAMAN. It will require the soldier to take some branch of study?

Mr. SMITH of Georgia. Yes; it will be a part of his work. It will be compulsory.

I want to say to the Senate that a few days ago a young officer gave me a most interesting account of the work done upon this line in the fort where he was stationed two or three years ago. The value of the work it is hardly necessary for me to argue, if it can be conducted in such a way as not to interfere with their military training, and really better prepare them to return to civil life. This young officer told me that at a fort at which he was stationed he and a number of other young officers determined to do something for the private soldiers, and they asked for volunteers to take a course in instruction of a certain number of hours each day, and about one-third of the privates volunteered. They thereupon worked out a line of studies which they could give in the fort. They had electrical works in the fort. They could give them instruction in electricity. They had a boiler plant in the fort. They felt that they could give them instruction in boiler handling and in steam operation. They had a shoe shop, they had a harness shop, they had a small machine shop, they had a bakery. Out of these possibilities just around them in the fort

they classified certain lines of vocational instruction, and invited the men to make their selections, and then these young officers trained them three or four hours a day, part of the time in vocational work, part of the time in general educational work; and the officer assured me that the development of those men was really remarkable. Only a short time ago, he said, he received a letter from one of them in Chicago, a private soldier who had no vocational training prior to that time, recalling to his mind that he took the bakery instruction, and stating that he was in Chicago running a bakery of his own and making from \$150 to \$200 a month.

Mr. President, I desire to ask that at the close of my remarks there may be printed in the RECORD an article by Mr. Charles Johnson Post on "How a big army could be made a social asset—vocational training in many trades needful in defensive preparation would fit men for civil career." In this article he points out that after the private soldier had been with the colors a sufficient length of time to be proficient, his detail could be made, in many instances, to plants or workshops belonging to the Government.

I ask that this article may be printed at the end of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. SMITH of Georgia. But it might be suggested that nothing could be done for agriculture.

Mr. CLAPP. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. Certainly.

Mr. CLAPP. If the Senator will pardon an interruption, I have this thought to suggest: I most earnestly hope the Senator's amendment will prevail. As a Republic, we have to bear a certain burden with reference to war; and, bearing that as a necessity, we ought to get whatever resultant good can be gotten out of that necessity.

If the Senator will pardon me for just a moment further, I have always been a strong believer in the National Guard, not so much with the view of its use in a war, which I hope we never will have, but I have believed it would be a good investment for this country to appropriate more for the National Guard, supplementing the school life and the business training of the young man with camp life, discipline, and the traditions of military achievement. Now, we can supplement that by supplementing the military training of the regular soldier with a certain amount of training for civil life; and I, for one, am most heartily in accord with the Senator's amendment.

Mr. SMITH of Georgia. I thank the Senator.

Mr. President, I hold in my hand an article by Gen. Wood, one of the brainiest and strongest of the men who have been connected for some time past with the Regular Army of this country, in which he cordially indorses the view that vocational instruction can be given to the privates while they are with the colors; that the time can be taken by the officers to give them instruction that will greatly contribute to their value as citizens when they return to private life. I ask that this article by Gen. Wood may be incorporated at this point in my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

VOCATIONAL TRAINING IN ARMY O. K'D BY GEN. WOOD.—NOTED COMMANDER SAYS PLAN PROPOSED BY CHARLES JOHNSON POST IS SOUND IN THEORY, PERFECTLY PRACTICAL IN APPLICATION, AND IS WORTH MOST SERIOUS CONSIDERATION AS SERVING THE DOUBLE PURPOSE OF MILITARY EFFICIENCY AND ECONOMIC EFFICIENCY, TO BE ATTAINED SIMULTANEOUSLY.

[By Maj. Gen. Leonard Wood.]

The plan of army industrial and vocational training that has been worked out by Mr. Charles Johnson Post, and has appeared in the pages of this paper, has many excellent points from the military point of view. This plan also is more complete in its development than any plan in Army preparedness along vocational lines that I have so far seen.

It has been transmitted to the War College for study and report upon it. Mr. Post approaches the problem of army service from the angle of a volunteer army, while I personally believe that some form of universal training is absolutely essential; yet I believe that certain of the features of vocational training along the lines that he has developed should be added to it.

His plan as a whole contemplates two things: (1) Efficiency as a soldier in military duties, and (2) the attainment of such efficiency under conditions that also prepare him for his return to the civil, industrial life. This would give a twofold efficiency to the country—a military efficiency and an economic efficiency. Men would return to civil life not only better but also more useful members of society. Such a system avoids any economic waste in a standing army.

What this country needs in the way of an army is not an army of men who remain in it permanently, except officers and noncommissioned officers; it should be in the nature of a great military training organization, constantly giving back to society men of military efficiency against the days of emergency. This is one feature of this plan that is taken care of. Under it the actual period of military training is a variable factor, though the standard of efficiency for all is the same; for, as Mr.

Post provides, no man can avail himself of the vocational apprenticeship until he has first become an efficient, first-class soldier. There is no confusion between these two periods, and it is necessary that they should be kept as distinct periods, even under the term of the single enlistment.

In brief, Mr. Post's plan proposes to give an opportunity to considerable portions of men under training as soldiers to secure, during the course of that training, an increase in their wage-earning capacity so that they are sent back to society and civil life not only ready as a soldier, but prepared for a higher degree of economic citizenship. This is a good idea if it can be put into operation without unduly extending the period of military service.

One of the great problems we have in this country is considerably due to the fact that great portions of our population develop in racial areas, reading a dialect press and controlled in the intervening years by dialect interests. Some sort of a community of service must be established in order to develop a proper and necessary appreciation of the duties and obligations of American citizenship—for equality of opportunity means an equality of obligations. I believe that the best method is by some sort of systematized military training of a universal character wherein Mr. Van Rensselaerblit will rub shoulders in the ranks with Mr. Podunski; under such service how long would it be before there is established a fellowship—an appreciation of what a democracy is and means, and of what American citizenship opens up? These large racial areas come from countries of racial oppression.

We must have some plan. And I believe that military training is invaluable for the purpose. I am anxious to see some form of the Australian or Swiss military systems adopted here. A man gets in military training control of his body—knowledge of health for himself and of preventable diseases that is of benefit to himself, his family, and to posterity; he gets discipline—a knowledge of the relationship of himself to social and economic forces; he learns to coordinate himself with society and to take his place and part effectively; he learns duty, obligation, and efficiency in many channels of American citizenship. If, then, we add to the purely military and civic features of army training a system whereby he is enabled to acquire a vocation—a trade or a profession—we have added that much to the industrial efficiency of our society, and, as I have said, made the Army a source of economic gain of great value. The Army and the Military Establishment would be as efficient a social instrument in times of peace as it would be of protection in international emergency.

That the basic principle of the system Mr. Post proposes is sound in theory and perfectly practicable in application, subject to certain modifications in matters of detail, appears to me obvious, and equally so that it should be developed along with any army reorganization and extension whether on the volunteer basis of enlistment or upon a basis of some form of universal military training. The plan he proposes is worth most serious study and consideration.

Mr. SMITH of Georgia. Senators, this view receives the support of many of the very best officers in the Army. I claim for it no novelty. I in no sense claim that it is an invention of mine. I am presenting to you the suggestions of others. No one appreciates more than I do the importance of preparing the young men of this country for the struggle of life, for usefulness in life, for effective force in life. But while I might believe it practical to give such instruction and such benefits to privates in the Regular Army, I would not be so sure that it could be done had I not the confident opinion of those highest in the Army, and those who in the Army have made from their military service the greatest success, that it is practicable.

Do you know that the Coast Artillery put this practice into effect the 1st of January, 1915? I send to the desk and ask that the Secretary may read the order of the Chief of Staff to the Coast Artillery on this subject, passed in January a year ago.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

During the indoor season, the Artillery instruction period will be one and one-half hours. The remaining two hours of the daily instruction period will be devoted to courses in vocational instruction under the initiative, direction, and control of coast-defense commanders. As many separate vocational courses will be inaugurated and conducted as may be possible, utilizing commissioned officers as supervisors of such courses, and the Artillery noncommissioned staff officers, enlisted specialists, and rated men as instructors. Attendance upon these courses will be optional with the enlisted men. Those enlisted men not engaged in these courses will be assigned to police or other work about the post during the instruction period. Among the courses that may be given are those in telephony, care and operation of combustion and steam engines, surveying, wire and radio telegraphy, firing and care of boilers, electric wiring, typewriting, bookkeeping, and stenography. These subjects are to be considered as merely suggestive, and it is not intended to exclude other vocational subjects which may suggest themselves to coast-defense commanders. In so far as practicable the installed Coast Artillery matériel may be utilized in connection with this instruction.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. Certainly.

Mr. THOMAS. May I ask the Senator if he does not think the proposition he is now stating would also operate as an inducement for enlistment?

Mr. SMITH of Georgia. Unquestionably. Mr. President, if you will democratize the Army, if you will break the caste that exists in the Army, if you will make the private a man and an American citizen just as much as the officer, and if you will enlist the officers in the development of the men, in the development of their mental and moral strength, in the training of the men for civil as well as military life, you can make the position of the private in the Army a very different one from what it



has been in the past, and you can make the button worn by the private as a member of the national reserve a badge of honor wherever he goes, second only to the uniform of the West Point graduate.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from California?

Mr. SMITH of Georgia. I do.

Mr. WORKS. I am very much interested in what the Senator is saying about democratizing the Army; but does he think he will secure the cooperation of the officers in the Army to any great extent in an effort of that kind?

Mr. SMITH of Georgia. To a very great extent; yes.

Mr. WORKS. I am very glad to hear the Senator say so.

Mr. SMITH of Georgia. I did not know until to-day that the Coast Artillery had adopted that rule. An officer of the Coast Artillery came over to me with the report of the successful work that has been done in the past 12 months under that order, showing what great progress the men have made under their tuition in vocational lines in 12 months. Then I asked him how it happened that the work had been done. "Why," said he, "an order was passed the first of last year requesting it of the officers, and making it a matter of volition with the men"; and a large part of the men, he said, volunteered to take the training.

I have here a report on their work, which shows, Mr. President and Senators, that they succeeded in establishing courses for bakers, carpenters, blacksmiths, painters, firemen, engineers, telephone and telegraph operators, radiotelegraph operators, plasterers, plumbers, stenographers, and typewriters. I desire, without stopping to read it, that it be printed in connection with what I have just said.

The VICE PRESIDENT. Without objection it is so ordered. The matter referred to is as follows:

#### OPPORTUNITIES FOR EDUCATION IN THE COAST ARTILLERY CORPS.

The Coast Artillery Corps gives a young man an exceptional opportunity to learn some trade outside of the purely military business, and to improve his general education very materially. While vocational training has been optional with the enlisted men, a great many have taken an interest in this work, and have left the service with a knowledge of some vocation outside of the military profession. Among the courses which have been held are courses for bakers, carpenters, blacksmiths, painters, firemen, engineers, telephone and telegraph operators, radiotelegraph operators, plasterers, plumbers, stenographers, and typewriters. In many instances enlisted men have become quite proficient in the courses which they have pursued.

In addition to the subjects enumerated above, many enlisted men have taken a special interest in the electrical installations connected with coast fortifications. The Coast Artillery enlisted men operate the power plants in which electric power is generated for use in the fortifications, and thus become familiar with electrical machinery of all kinds. They also learn to operate steam-power plants, fire boilers, run gasoline engines, and operate searchlights. In connection with submarine mine work, they learn considerable about boats and their operation.

For men who take an exceptional interest in their work there is maintained at Fort Monroe, Va., a school for enlisted men. At this school they are trained for the duties of master electricians, electrician sergeants, engineers, firemen, master gunners, radiotelegraphers, and sergeants major. The last-mentioned grade includes a course in stenography and typewriting. The electrician sergeants take care of the lines of communication at the posts, they keep all telephones in good condition, they install wiring, and assist generally in any work pertaining to the electrical installation. The engineers have charge of the power plants and make all ordinary repairs on the boilers and the machinery in the plants. The firemen have charge of the firing and operation of boilers. The master gunners are charged with the preparation of charts, maps, drawings, range tables, etc., in a coast-defense command. Radio sergeants are used to communicate with vessels and for other signal work. These courses are open to men who are ambitious and who take an interest in their work. Every enlisted man who serves a tour in the Coast Artillery Corps, and who is ambitious to learn, has numerous opportunities to better himself in both theoretical and practical subjects.

Radio operators are always in demand by commercial firms, as are the electricians, engineers, and firemen, who have learned their vocations while enlisted men of the Coast Artillery Corps.

Mr. SMITH of Georgia. I to-day learned first of this work in the Coast Artillery, and I ask Senators who smiled yesterday when the amendment that I offered was read whether they can not now smile with approving praise at this splendid work that has been voluntarily done by these men in the Coast Artillery.

I do not desire at this time to discuss the amendment further; it will formally come up for consideration later on; but I wished to put this much in the Record and say this much at the present time to the Senate that it may be the subject of thought, that Senators may overcome the first view that such work would be impossible, and that they may prepare themselves for becoming accustomed to it by a knowledge of the fact that it has been done and has worked well. If Senators will only give the subject thought, they will be ready to accept it as a part of the bill.

#### APPENDIX.

HOW A BIG ARMY COULD BE MADE A SOCIAL ASSET—VOCATIONAL TRAINING IN MANY TRADES NEEDFUL IN DEFENSIVE PREPARATION WOULD FIT MEN FOR CIVIL CAREERS.

[The Globe prints below a synopsis of a comprehensive plan for raising and maintaining an army adequate to our needs, which has been submitted to the War College at Leavenworth for study and report upon it. Its author possesses technical fitness and experience. He has seen fighting service in the field in the War with Spain, he was a commissioned officer in both Infantry and Coast Artillery in the guard of this State, and, together with four other officers, organized the first class in military field engineering which, at its own expense, engaged a Regular Army officer as an instructor—this was in the days when there was no widespread fervor of preparedness—and is the author of the textbook on "Horse Packing" for military and frontier use. The plan has the double advantage that it would not cripple our industrial resources during either the raising or the maintenance of a competent army, but, on the contrary, would prepare us for greater industrial development while preparing us effectively to resist military invasion. Sacrificing no part of the proficiency in arms which our men of military age should possess, it would at the same time provide them with proficiency in the useful arts.]

[By Charles Johnson Post.]

This country needs an army. It needs it just as any subdivision of society needs a police force.

Such army must be efficient; it must bear a relation to the probabilities of its service; it must be an army not merely for the sake of an army; it must be an army proportioned to our needs and to its social usefulness, and the feudal elements in it of social and economic waste must be reduced to a minimum.

In other words, the army of our future must not be merely an increase in the size, in the raw bulk, of that feudal instrument with feudal principles that has so far been retained; it must be a part of our social system—an instrument of social use and value in place of the heavy burden borne by society against the plunge of war.

The ideal system of army defense existed in those simpler times or exists to-day in those communities less complex than those with which we are generally familiar. In every frontier the ordinary struggle of survival was easily interchangeable with the necessities of camp and field. The hunting, the open life, and the necessities of primitive existence were a constant training of youth along lines that made him the finest fighting material in the world. History is full of examples. The march of progress advances both the complexities of society and the arts of war, and the old interchangeable relationship is supplanted. Let this old relationship be reestablished; take from the Army the singleness of its rarely used function; let it be in times of peace an instrument of social use, of economic training as well as of military training, and there is no more danger in it of militarism than there was in the days when men wore coonskin caps and shot Indians or turkeys on the day before Thanksgiving with equal skill. The dangers from militarism lie in the feudal survivals in our Army system and not in the fact that men are taught to handle firearms or drill in masses.

#### PRESENT TRAINING DEMORALIZING.

With certain special and technical exceptions our Army—or, for that matter, any army—taking young men at the formative period of their manhood, gives them nothing that is of value in meeting the problems of life and livelihood that confront them on their return to civil society. On the present feudal basis our army training is, in its economic and social aspects, wasteful and demoralizing.

But take the feudalism out of the Army; make it efficiently constructive in the time of peace as it is efficiently destructive in time of war; establish it along lines wherein young men may acquire the industrial equipment for industrial civil life that is ahead of them—give them these things as well as the requirements of military proficiency—and the country will have an army of defense, in which there lies no more menace of militarism than exists in so many vocational schools or technical colleges.

It is along the lines of these principles that the following plan is based.

Here is a plan for raising and maintaining an army adequate to our needs which neither in the raising nor in the maintenance of it would cripple our industrial resources, but, on the contrary, would in both respects prepare us for greater industrial development as well as to resist armed attack. The practicability of the plan seems to be obvious from a lay point of view. Its value from a military point of view is under consideration by the War College at Leavenworth.

Experiments in military training by the War Department have shown that a recruit can be turned into a soldier in less than a year of training. The present enlistment period is three years—two years of wasteful reiteration.

Let the recruit join the Army for a term that will give him three years' apprenticeship at the trade of his choice; this period would be a fixed quantity. Preliminary to this he would serve through various degrees of military training until he has acquired standing as a private of the first class. He could not enter upon his vocational apprenticeship until he was certified as a first-class private.

#### TRAINING IN GOVERNMENT SHOPS.

This vocational training would be in the Government shops, in which the implements and munitions of war would be, in the largest measure, constructed. The Army should be self-sustaining through its own manufactures in its own shops, but none of the articles so made should be sold at any time in competition with private manufacture. We think of Government Army shops as merely engaged in turning out guns. This is not so; in the Army upkeep there is and would be every activity drawn upon that is called into play in civil society. In gun making there is the finest kind of training for mechanics; range finders and the instruments of precision call for the higher mechanical skill in the naturally talented; garrisons must be kept up in their plant—masonry, carpentry, plumbing—while the Quartermaster's Department, with its transportation equipment alone, is an enormous field for the acquiring of trades used in civil society. The list is limitless.

The adoption by the Government of these functions would serve a double purpose; it would furnish the opportunity for a widespread industrial training that would react directly in the economic advantages of this country, with a population of highly skilled men constantly created, and it would eliminate the commercial interest that thrives best on war scares and war. The iniquitous Krupp scandals are too recent to permit us to overlook the warning they conveyed and to take preventive measures lest we, too, be Kruppized. Moreover, war and

all pertaining to it are matters of so great national and individual sacrifice that it is intolerable that any class of Army contractors should alone be protected in the profits that to all the rest of us spell destitution and death.

During this period of vocational training the young man would keep with him his uniform and equipment in a locker of his shop and be responsible for the condition thereof—much the same as in Switzerland. In the event of war he could be mobilized by changing from his shop clothes to his uniform—a matter of 15 minutes or less.

During the first year of such vocational apprenticeship there would be two months' field service with the colors.

During the second year there would be six weeks' field service with the colors.

And during the third and final year of apprenticeship he would serve one month of field service. This would crystallize the military training of his first and preliminary military service.

There would be a certain percentage of these young men—just as there are now—to whom the military life would appeal. These would, in place of the trade apprenticeship, pass into a special military school that would train them up to the degree required of the highest grade of noncommissioned officer—a sergeant. From this school they would then pass back into the regular, permanent Military or Army Establishment. A man would pass back with the rank of a private and the capacity of a sergeant, subsequent promotion depending upon his capacity in that branch. From this permanent section would be drawn the drill instructors and the minor officers of the whole Military Establishment. A sergeant under our present system is in command of a section—three squads of 24 men, including 3 corporals. Allowing for staff details and the general contingencies of an enlarged organization, there would be in this permanent section an army of sergeants, each capable of taking command of 16 volunteers. In other words, the Army could be enlarged 16 times and have a full equipment of noncommissioned and commissioned officers, for noncommissioned officers in the permanent section would become officers in war time.

And this takes no count of those men, first-class privates and trade apprentices, who are trained as soldiers ready to step fully armed into the ranks.

#### SHOULD BE FEDERAL UNIVERSITY.

There is one other phase of the matter that needs attention. Into the Army would come men of the capacity of professional men and with the ambition to achieve such rank. The trade school would limit their usefulness not only to society but to the Army Establishment. There would also be men of the capacity of officers. At the present we regard the latter capacity as the only one to be encouraged, so we have West Point. But if it is sound in principle to educate American citizens for a certain governmental department it is equally sound to train them for other needed governmental service.

West Point should be more than a local academy on the Hudson. It should be a great Federal university open to all who can pass the necessary requirements. There should be military training sufficient to qualify a man for a commission for all who entered—an obligatory course. For those training for officers in the Regular (permanent) Establishment it should be most extensive. Every department under each Cabinet officer has need of men with college training and technical degrees, and it is here that the graduates should be drafted for a certain period. There can not be too much education among a people nor can too many people have too much of it. This plan would abolish those stories of men struggling through college on peanuts and popcorn as a steady four years' diet. But that loss would be only of a mass of pathetic anecdotes and in no way reflected in the economic ability that would be represented in this country.

Let us be concrete and offer an illustration in figures:

Assume an army of 100,000 apprentices a year—not a high number, as is well known to any who are familiar with the craving in the working classes that their boys shall have a trade—and a permanent establishment of 50,000 Regulars. For the first year this means only 150,000 men.

The second year—with the next class of apprentices—it means 250,000 men.

The third year 350,000. And the fourth year and every year thereafter 450,000 men ready in 15 minutes after the bugle blows.

#### PRESENT SOCIAL WASTE WIPED OUT.

And this is not counting the possibilities that lie in expanding the very highly trained military specialists comprising the 50,000 of the permanent establishment. Expand them by sixteen times—every private in it a sergeant—and there are 800,000 men in a fully officered additional army. And these additional soldiers would be from the graduated apprentices, who should be held to respond to military service, in case of need, for a certain period after acquiring their trade in the Government shops.

Under a plan like this there would be no great mass of soldiers in an army who served no function in time of peace. The social waste of the present feudalistic army system would be gone. In place of the great Army budget there would be virtually an educational budget to be passed by Congress. The military training would be incidental to acquiring a civil career; there would be no more menace of militarism than there is in a public school or a college that requires service in return for an education. There would be no menace of militarism, for the Army would be a social instrument of service in which the service it performed in the civil functions of our economic and social life would overshadow the militaristic.

It would be, as it should be, a highly efficient posse comitatus, ready for indefinite expansion in time of need, in place of a feudalism; and it would relate itself usefully to the complexities of modern civilization in the functions of peace.

Mr. WADSWORTH. Mr. President, I desire to express just a few sentiments with respect to the amendment offered by the Senator from Iowa [Mr. CUMMINS], and at the same time to assure the Senate Committee on Military Affairs that in supporting the amendment of the Senator from Iowa I am not intending to express any opposition or hostility to the bill itself which has been reported to the Senate by the Military Affairs Committee, a bill which, in my judgment, is the best piece of military legislation that has ever been presented to the Congress of the United States. I do believe, however, that there are one or two points in the measure which may be strengthened and which by being strengthened will add to the efficiency of the armed force of the country.

The amendment of the Senator from Iowa, as Senators have heard, seeks to add that officers of the National Guard shall be detailed by the President for a fixed term of years to serve with the General Staff of the Army. I shall not make a plea to the Senate that this detail of five National Guard officers should be made by the President on the ground that the National Guard morally is entitled to this consideration, although I believe it is entitled to consideration on that ground, but on the ground of increasing the military efficiency and value of the General Staff itself.

It must be remembered in considering this matter as to the National Guard and the Regular Army, constituted as they will be if the bill passes as a force jointly responsible for the defense of the country, that different problems affect them, different conditions confront them. The General Staff, as I understand it, is expected in time of peace to study out in advance all the contingencies which may arise in time of war, all problems of supplying troops in the event that they are called into active service, all the problems of transporting troops to points of mobilization, and of supplying them when they have reached the point of mobilization. The General Staff, I understand, will be an aid to the War College in laying out in advance a campaign and methods of defense in the event of certain kinds of attack being made upon the country, so that should war or emergency exist and confront the country suddenly the management of the Army might proceed intelligently and promptly to meet the situation.

The problems concerning the mobilization and supply of the National Guard are necessarily somewhat different from the problems confronting the mobilization and supply of the regular forces. The Regular Army, as we know, lives in barracks at Army posts scattered over the country—in my judgment too many of them. In any event the Regular Army is always permanently stationed at Army posts and the men live in barracks, and they are constantly under the immediate control and direction of the officers. The mobilization of the Regular Army at a given point on either coast is a thing which any Regular Army officer can very easily and efficiently and promptly work out by a plan adopted in advance.

But I think it can be stated that it is not so easy for a Regular Army officer to work out the problem of mobilizing the National Guard or of supplying it while it is in transit or while it is collected for the time being, as at its home station, for the National Guard is scattered all over the country and the men do not live in barracks. They live at their homes, and the problem of getting them to their armories is one which National Guard officers have studied for years and years. I know the problem has been worked out in the State of New York to the extent that it is now contemplated that should the New York Guard be called into service to meet an emergency, all the organizations in the State could be packed up and ready to go on the trains wherever they are expected to go within 12 hours.

The problem of getting those men from their homes to the armories is essentially a different problem from that involved in mobilizing Regular troops. The same may be said in securing them the proper amount of supplies in the event they are so mobilized. I have believed for some time—and particularly do I believe it now, when it is apparent that the National Guard is to be considered at least as an important part of the Federal force—that those particular difficulties and problems of mobilizing and supplying the National Guard in case of an outbreak of war should be taken into consideration by the General Staff here at Washington, and I think that can be done with far greater promptness and efficiency if a few officers of the National Guard who are particularly able and capable of studying this thing from their own standpoint—the standpoint of the peculiar difficulties of the National Guard with which they are familiar—are called into consultation.

That, to my mind, is, from the military standpoint, the argument back of the amendment offered by the Senator from Iowa. It is to establish cooperation between the two forces. It is not to hinder the Regular Army officer; it is not to challenge his control; it is not to defy his authority; it is not to attempt to undermine his influence in the management of Army forces of the United States. It is to help him at a point where the National Guard officer is peculiarly qualified to help him. I do not believe that any Regular Army officer who has studied the peculiar difficulties confronting National Guard mobilization would refuse to have that kind of help. I do know of one case, at least, where the War Department authorities requested that kind of help and have acknowledged that it was of the greatest assistance.

I think it was but two years ago, when the Mexican situation was looking somewhat cloudy, that the War Department began making inquiries of the officers of the various State guards as



to what they could do in the event of trouble on the Mexican border in the way of turning out troops, because it is well understood that the Regular Army at its present size is helpless to carry on a thorough intervention in Mexico, and reliance must be had at this day and hour, as was the case two years ago, upon the National Guard to reinforce and assist the Regular Army in any such operation as they might be called upon to undertake. At that time, two years ago, an officer of the National Guard was requested to come to Washington to help the officers here in the War Department to work out plans of mobilizing the men of the guard of New York, and that officer spent some time here. I have heard from many sources, and most of them exceedingly reliable, that he pointed out more things to Regular Army officers with respect to peculiar difficulties and peculiar problems confronting the mobilization and supply of National Guard troops than they had ever thought of; and that is not surprising, for they had never attempted to do any such thing, whereas this particular officer had studied this problem for months, and, in fact, for years. I have had it on the highest authority that his assistance at that time was very highly appreciated by Regular Army officers.

I do believe that if we are to have a force of two hundred and sixty-odd thousand troops under the term and caption of National Guards, to be a part of the Federal force, to act with the Regular Army in case of necessity, it will accrue to the efficiency of both those elements, Regulars and National Guardsmen, if officers of the National Guard are permitted by authority of Congress, expressed in a statute, to come to Washington and stay here for a term of five years and consult and confer with the men with whom they will have to cooperate in time of war.

Mr. President, I hope that the amendment will prevail.

Mr. NELSON. Mr. President, I purpose to detain the Senate for only a very few moments. In all that the Senator from Georgia [Mr. SMITH] has said about vocational training for the benefit of the soldiers of the Army I heartily concur, but I could not concur in that part of his remarks which would eliminate the Volunteer Army from the bill and rely only upon the militia. I will in the briefest possible manner point out to the Senate how as to numbers the National Guard that we could depend upon is, as one might say, a man of straw. We are wholly at the mercy of the several States. Let me read again this paragraph of the Constitution:

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of officers, and the authority of training the militia.

That authority of appointing the officers and training the militia is given exclusively to the States. There can be no militia force organized in any of the States unless officers are appointed. The Supreme Court of the United States in the case of *Houston against Moore*, Fifth Wheaton, page 36, while passing upon this paragraph of the Constitution, remarked:

Indeed, extensive as their power over the militia is, the United States are obviously intended to be made in some measure dependent upon the States for the aid of this species of force. For, if the States—

Now, listen to this—

For, if the States will not officer or train their men there is no power given to Congress to supply the deficiency.

So when you come to the question of determining how much the Army will be increased by what is termed the National Guard provision of the bill, you are utterly at the mercy of the several States, and no one can determine in advance how big our force will be. Some States may provide for the organization of two or three regiments of infantry, a battery of artillery, and a company of cavalry. Some may not; and if they fail, how can you compel them to do it? There is no power in Congress. You can not organize the militia into companies or battalions without appointing officers, and if the different States make no provision for doing that, where is the number of your National Guard? One State may provide for a National Guard of a thousand men, another State may provide for a National Guard of 10,000 men, and another State may provide for a National Guard of 5,000 men, but whatever the number is, Congress can not control it. It is a matter under the control of the respective States.

So I say, Mr. President, you can not settle the numbers of the National Guard by this legislation. It is entirely at the mercy of the several States. The bill assumes that all the States will organize a militia on a given basis, but there is nothing in the Constitution and nothing in the law by which we can compel the States. Suppose the governor of any State in the Union refuses to appoint officers and to organize and train regiments, what then? Where is your National Guard? Where is your State militia? I am not hostile to the State militia, but we

are left in an entire sea of uncertainty as to the number we can count on.

What about the Volunteer Army? That is enlisted. We know the numbers of that. The men we enlist in the Volunteer Army are soldiers of the United States. We know their number, because we know the number we enlist, and they are subject to Federal control. The volume of that branch of the service we can determine and fix, but it is not so, Mr. President, with the National Guard.

During the days of the Civil War, while we had many so-called militia regiments in the several States, as a matter of fact the regiments, bodily as such, did not go into the service. In a few isolated cases the regiments were mustered in, but in most cases the men were mustered in as individual volunteers, and our great Army during the Civil War was not composed of militia regiments or militia companies; it was composed of volunteers, such as are contemplated under this proposed law.

This is not a new thing, Mr. President. During the Spanish-American War we had a Federal Volunteer Army. It differed from the volunteer State regiments in this, that the officers of that Federal volunteer force were appointed by the President of the United States, and, as a rule, they were officers who had had training and experience in the Regular Army. They got commissions in those volunteer regiments and they proved themselves to be very efficient. Some of those regiments were recruited in the far South, and they made most excellent soldiers.

As I have said, while I have no opposition to the National Guard as such, and while it is well enough to make use of them so far as we may, in view of the fact that in so using them we are at the mercy of the States, I believe it is unsafe to entirely rely upon them, and that, by all means, we ought to have a volunteer army of the United States of America. The Volunteers are as much soldiers in one sense as are the men in the Regular Army. The only difference is as to the manner and the time of their service. As I pointed out to the Senator from Iowa [Mr. CUMMINS] while he was on the floor, the militia of the several States are not under the control of the Federal Government until actually called into the service of the United States. The Constitution, Mr. President, is quite plain on that point, and I quote from it as follows:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States.

The mere fact that the militia companies are organized in the different States and that they are drilled by officers appointed by the Government, and are trained by them according to Army regulations, does not make them a part of the military force of the United States. They are not in the service of the United States until they are actually called into that service and mustered in as soldiers of the United States. So long as they remain pure and simple militia regiments, a part of the National Guard, and nothing else, they are not soldiers of the United States Army in the proper sense of the term; they are simply nothing else than State militia. It is only when the President, in the exercise of his constitutional authority, calls those troops into the service of the United States that they become a part of the military force of the United States.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. I yield.

Mr. GALLINGER. I notice that the Senator from Iowa [Mr. CUMMINS] took a different view of this provision of the Constitution, as I recall. I want to ask the Senator from Minnesota exactly what is the status of these soldiers after the exigency for which they are called out has passed? They are called into the service of the United States; they become soldiers of the United States; do they remain soldiers of the United States after that?

Mr. NELSON. Not at all.

Mr. GALLINGER. Do they go back to their respective States?

Mr. NELSON. They go back and become a part of the State militia, subject to the rules and the laws of the State, and the State may discharge them. The State controls the mustering in of the forces. The State may never muster in a single battalion or a single company, because of the failure to appoint officers.

Mr. GALLINGER. I think the Senator from Minnesota is right on that point; but what was troubling me was, if these men are called out in the event of a war of greater or less importance and the necessity for their service ceases, how are they sent back to their respective States—by proclamation that they are not needed any longer?

Mr. NELSON. No definite rule has been laid down, so far as I am aware, as to that. I suppose they could be discharged

from the service of the United States, and would then go back to their respective States.

Mr. GALLINGER. That is the point on which I wanted to get the Senator's opinion.

Mr. NELSON. Whilst I agree with the Senator from Georgia [Mr. SMITH] in one of his contentions, I disagree with him in respect to another. I believe under the Constitution we have no power to use the militia outside of the boundaries of the United States except in such an instance as that to which I will refer. The language of the Constitution on the subject is perfectly plain. It is that—

The Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Under that provision of the Constitution manifestly we should have no right to take that force out of the country. The only exception is in such a case as the Senator from Georgia suggested. Suppose we sent a force down to the Mexican border to repel invasion, and if for the purpose of repelling that invasion and as an incident to it that force should cross the border and go into foreign territory, I do not think that that would violate the spirit of the Constitution; but if we should attempt to transport our State militia over to one of the South American countries or over to Europe or to Canada in an offensive war, I believe it would be utterly beyond our power under the Constitution.

Mr. PAGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Vermont?

Mr. NELSON. I yield.

Mr. PAGE. I should like to ask the Senator from Minnesota if, in his opinion, there is any doubt that the patriotic purposes of every State and the governor of every State would not be a sufficient guaranty that the officers of the militia would be duly appointed for all the National Guard regiments?

Mr. NELSON. Does the Senator from Vermont mean to their full quota?

Mr. PAGE. Yes, sir.

Mr. NELSON. To the full number contemplated by this bill?

Mr. PAGE. Yes; and for the drilling of those regiments?

Mr. NELSON. I have my doubts about that. The States would undoubtedly appoint some officers; they would undoubtedly organize some regiments to form a little skeleton of the National Guard; but I doubt whether any of the States would come up to the maximum contemplated by the bill.

Mr. PAGE. I have an idea, Mr. President, that they would.

Mr. NELSON. Let me ask the Senator how many members of the National Guard there are in Vermont?

Mr. PAGE. We have only one regiment; but I have no doubt that, if we were called upon, the patriotic impulses of Vermont would be sufficient to guarantee that everything that could be asked for by the Federal Government would be done, and be promptly and willingly done.

Mr. NELSON. Well, I doubt it, Mr. President. I remember what has occurred in the past. I believe the citizens of Minnesota are as patriotic and are as willing to fight for this country as are any other men in this Union. We had two or three regiments in the Spanish War of State volunteers; we were ready to furnish any additional number that might be required; and yet during all of the time since then we have only had two or three skeleton regiments. They meet once a year in an encampment and have a jolly good time. I once had an opportunity to inspect them when I was governor of the State of Minnesota. It was a very interesting and clever performance, but it never struck me, as an old soldier who had served during the Civil War, that there was much real soldiering about such State encampments.

I remember one encampment very well, which occurs to me now, and so I will refer to it. I went down to Lake City as governor of Minnesota to inspect the National Guard of our State. They furnished me, from a livery stable at Lake City, with an old plug of a horse to ride. I think the boys had "set it up on me," as they say. I discovered, however, what was up before the exercises commenced. I put big spurs on and spurred that old horse to such an extent that he got so excited he could hardly stand still. One of my staff, when I came riding back in the woods on that old horse, was nearly scared to death for fear the horse would kill me; but I avoided that catastrophe and succeeded in inspecting the guard in a proper manner on that old plug of a horse, but the whole thing was like a circus to me. [Laughter.]

Mr. CUMMINS. Mr. President, will the Senator from Minnesota yield to me?

Mr. NELSON. I yield to the Senator from Iowa.

Mr. CUMMINS. I wish merely to ask the Senator how long ago it was that the distinguished Senator was governor of Minnesota?

Mr. NELSON. It was in 1893, 1894, and part of 1895.

Mr. CUMMINS. Does not the Senator realize that the National Guard has radically changed since that time?

Mr. NELSON. Oh, it has improved somewhat.

Mr. CUMMINS. Since that time the National Guard has improved its training, its discipline, and its purposes.

Mr. NELSON. All things improve, Mr. President.

Now that I have given one picture of the National Guard, I must say, on the other hand, that I have seen the National Guard give some very fine exhibitions. I recall, especially the Pennsylvania troops that I saw on the occasion of the inaugural ceremonies some years ago. I see my good and genial friend from New Jersey [Mr. MARTINE] in front of me. I do not recall having seen any of the New Jersey troops on that occasion, but I saw several regiments of the Pennsylvania Militia, which I very much admired. They had something of the gait and something of the swing which the old soldiers had in the days of the Civil War.

Mr. MARTINE of New Jersey. Mr. President, let me say that I fear the Senator's failure to see the New Jersey troops was because of a lack of proper vision. I am not willing to stand here and not pay a tribute to the troops of that State. It can not be said that at the inaugural ceremonies or at any other time the New Jersey troops have failed, either in presenting a proper appearance or in giving indications of splendid discipline.

Mr. NELSON. I simply meant to say that I did not observe the New Jersey troops on the occasion I had in mind.

Mr. GALLINGER. Perhaps they were not properly labeled.

Mr. NELSON. Mr. President, while I am on my feet I can not help adding a few words more.

Mr. SMITH of Georgia. Mr. President, just a moment, if the Senator will allow me. As Senators are telling of the National Guard of their respective States, I want to say to the Senator that we have in Georgia something over 3,000 men enlisted in the National Guard, and I think the companies of that organization on drill make as fine an appearance as any troops I ever saw. They outclass regular soldiers in competitive drills, and are really in such splendid shape that they could almost be called into active service at any time. The service in which they are engaged is the pride of those young men. They have competitive company drills at fairs all over the State, and the people have great pride in their militia.

Mr. NELSON. While we are on the subject, Mr. President, of the National Guard, having given one side of the picture, I desire to give another experience I had while governor. A very serious strike occurred in the iron mines on Lake Superior, back of Duluth. The men of two of the mines left their work in order to go to another mining camp in an effort to induce others to join the strike. The sheriff of St. Louis County said he was unable to handle the situation and asked me to send the militia to help him. At that time the general of the militia was a very pompous, dignified man, who, while the strike was pending, came to my office almost every day and wanted to go with the militia to the district where the disturbance prevailed. I knew that if he went to the strike district there would be shooting. My adjutant general was an old German who had served in the Civil War. His name was Muhlberg, and a fine old fellow he was. I called him up, and I said, "Gen. Muhlberg, take a militia company, go to Duluth, and stop the disturbance, but do not have any shooting if you can help it." He replied, "Never mind, Governor, I will go up there, and I will fix them without shooting." He went there and maintained the peace. He marched troops up there and camped them, made a little speech to the strikers, and they went back to their quarters. I am satisfied if the brigadier general of the militia at the time had gone to the mines there would have been bloodshed.

Mr. President, if I may be pardoned for these wandering remarks, I want to say a word in behalf of the Army in general. I am surprised to note in very many quarters a prejudice against a so-called standing army and against soldiers in general. The fact is seemingly overlooked that the majority of the men in the Army are of our own flesh and blood, citizens of the United States, and they do not lose the attributes of citizenship or the American spirit because they join the ranks of the Army. Our own history and the history of the South demonstrate that the old soldiers are not a danger to the Republic in any form.

The historian Macaulay tells us that when the Stuarts returned to power in England after the death of Oliver Cromwell and his son, and it became necessary to disband the great army of Puritans who had marched under Oliver Cromwell, the Stuarts were afraid that those old army veterans when disbanded would be a disturbing and vicious element in the body politic and prove a menace to society. The historian, however, tells us that these expectations were never realized. He said that if you went into any community in England after those



veterans were discharged and found a thrifty and prosperous blacksmith or a thrifty and prosperous carpenter or a thrifty, prosperous, and energetic tailor, if you scratched his head a little you would generally find that he was one of Oliver's old soldiers. Instead of those men being a menace to the country they were a blessing to it; their training in the army had made them good citizens. Exactly the same thing occurred at the end of our great Civil War. When that war was over the veterans in the Confederate Army retired to the walks of civil life and became the leaders and the best citizens in their respective communities. So with the veterans of the North, the veterans of the Grand Army of the Republic. When they returned to civil life they became industrious, prosperous, thrifty citizens of the United States. Neither the old Confederates nor the old Union veterans who retired to civil life after that long and dreary war proved themselves to be bad citizens or to be a menace to the public interest; and I am surprised, Mr. President, to think there are any men in this country who are hostile to a fair-sized standing army.

We are a rich and a wealthy country. We ought to be well equipped both in peace and in war—well equipped in peace in order to prevent war—and I hope that before we enact the pending proposed legislation we will secure a somewhat ampler force than is provided even in the Senate bill.

It is very strange—I dislike to go into the domain of politics, but I can not help doing so—that 18 months ago our good President was opposed to preparedness; he did not think it was necessary; but within six months he has come around and is now strongly in favor of it.

Mr. WILLIAMS. Does not the Senator think something has happened in 18 months?

Mr. NELSON. Yes; something has happened in 18 months, as the Senator from Mississippi suggests.

Mr. WILLIAMS. And not alone in the mind of the President, but in the history of the world.

Mr. NELSON. Mr. President, I do not intend exactly to criticize the President, because we do not all see the light of truth at an equally early period. I think the President 18 months ago did not apprehend that the war in Europe would be on such a stupendous scale or would continue so long.

Mr. MARTINE of New Jersey. He was not alone in that thought.

Mr. NELSON. Oh, no; I am conscious of that fact; but the events which have occurred within the last 12 months have led the President to change his mind; and I congratulate him on the position he has now taken.

He and some of his advisers prepared a plan. The only criticism of that plan which I have to make is that it was a homeopathic plan. His idea of preparedness was a good one; but he did not carry it far enough; it was on too narrow a scale. To my mind, the plan proposed by Secretary Garrison was by all odds the best and wisest plan.

Now, coming to this bill, I am not only in favor of the Regular Army—and a little larger Regular Army, if we can have it, than is provided for in the pending bill—but I am in favor of a volunteer army, and I am not opposed to the militia. Let us take it just as it is, with all of its virtues and all of its infirmities, but let us have a real reserve force in the shape of a volunteer army, upon which we can depend—such an army, Mr. President, as we had in the days of the Civil War.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY managers at the conference on the part of the House.

#### PETITIONS AND MEMORIALS.

Mr. GALLINGER presented memorials of 16 citizens of Center Barnstead, N. H., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Woman's Club of Center Harbor, N. H., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the German Alliance, of Manchester, N. H., praying for the removal of restrictions on the shipment of milk to Germany, Austria-Hungary, and Poland, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Berger Manufacturing Co., of Boston, Mass., praying for liberal appropriations for the maintenance of the Bureau of Standards, which was referred to the Committee on Appropriations.

He also presented a petition of the Department of Louisiana and Mississippi, Grand Army of the Republic, praying for the retirement of Volunteer officers of the Civil War, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Woman's Council of Sacramento, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the congregation of the Adventist Church, of Mountain View, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of Local Union No. 338, Cigar-makers' International Union of America, of Eureka, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. BURLEIGH presented a petition of sundry citizens of Greenville, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. WADSWORTH presented memorials of sundry citizens of Saranac Lake and Lincklaen, in the State of New York, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Wayland, Parishville, and Middletown, all in the State of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. PHELAN, from the Committee on Public Lands, to which was referred the bill (H. R. 406) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, reported it with an amendment, and submitted a report (No. 319) thereon.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 4426) to regulate the salaries of keepers of lighthouses, reported it with amendments, and submitted a report (No. 320) thereon.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5339) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended; to the Committee on Interstate Commerce.

By Mr. WILLIAMS:

A bill (S. 5340) to confer jurisdiction on the Court of Claims to readjudicate the cases of Mattie W. Jackson, widow, and others, against The United States, and Mattie E. Hughes against The United States; to the Committee on Claims.

By Mr. TAGGART:

A bill (S. 5341) granting an increase of pension to Charles Leffler (with accompanying papers);

A bill (S. 5342) granting an increase of pension to Michael Galligan (with accompanying papers); and

A bill (S. 5343) granting a pension to Anna Stanley (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 5344) for the regulation of the practice of podiatry in the District of Columbia, and for the protection of the people from empiricism in relation thereto; to the Committee on the District of Columbia.

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 5345) granting a pension to William R. Miller; to the Committee on Pensions.

## NATIONAL DEFENSE.

Mr. WORKS submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. LEE of Maryland submitted amendments intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which were ordered to lie on the table and to be printed.

Mr. SMITH of South Carolina submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

## THE JUDICIAL CODE.

Mr. OLIVER (for Mr. PENROSE) submitted an amendment intended to be proposed by him to the bill (S. 1412) further to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

## MILITARY POLICY OF THE UNITED STATES.

Mr. TILLMAN. On yesterday I submitted a resolution (No. 156) providing for the printing of 1,000 additional copies of Senate Document No. 494, Sixty-second Congress, second session, third impression, entitled "Military Policy of the United States," by Bvt. Maj. Gen. Emory Upton, United States Army. I find that there is a later impression, being the fourth one of this document, and I ask that the order of yesterday be rescinded and that there be printed as a Senate document 1,000 additional copies of the fourth impression.

The VICE PRESIDENT. Without objection, it is so ordered.

## HOUSE BILL REFERRED.

H. R. 10384. An act to regulate the immigration of aliens to, and the residence of aliens in, the United States was read twice by its title and referred to the Committee on Immigration.

## EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m., Friday, March 31, 1916) the Senate took a recess until to-morrow, Saturday, April 1, 1916, at 12 o'clock meridian.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 31 (legislative day of March 30), 1916.*

## POSTMASTERS.

## CONNECTICUT.

John G. St. Ruth, Windsor.

## MINNESOTA.

Fred Gay, Moose Lake.

## MISSOURI.

J. S. Divelbiss, Braymer.

## NEW JERSEY.

William Gerard, Rockaway.

## OHIO.

Fred D. Baker, Sunbury.

William E. Haas, Delaware.

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 31, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, through whose eternal energy and all-embracing love we live and move and have our being, open Thou our eyes to the beauty of holiness and ever lead us in the way of truth; impart unto us wisdom and strengthen us for every duty, that we may be the instruments in Thy hands for the promotion of Thy kingdom, that peace and good will may possess every heart; and Thy will be done on earth as it is in heaven, through Jesus Christ our Lord. Amen.

## PENSIONS.

Mr. RUSSELL of Missouri. Mr. Speaker, I ask unanimous consent that the House insist upon its amendments to the bill (S. 3984) granting pensions and increase of pensions to certain

soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the House insist on its amendments to S. 3984, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY.

Mr. RUSSELL of Missouri. I ask for the same order with reference to S. 4399, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Without objection, the same order will be made as on the preceding bill, and with the same conferees.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN until the 8th of April, inclusive, on account of business.

## WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. BAILEY to withdraw from the files of the House, without leaving copies, the papers in the case of Mrs. Sara Gates (H. R. 18404, 63d Cong.), no adverse report having been made thereon.

## OLEOMARGARINE.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent for a reprint of House bill 13825, and that the spelling of the word "oleomargarine" and the title of the bill be corrected; also, that in lines 19 and 20, page 14, the words, "that causes it to look like" be stricken out and the words "in imitation or semblance of" be inserted in lieu thereof.

Mr. Speaker, I make this request in order to correct what appear to be some typographical errors in the bill.

Mr. FITZGERALD. That is not a reprint.

Mr. MANN. The way to do is to introduce another bill. We can not have two prints of a bill in two different forms.

The SPEAKER. The best thing for the gentleman to do is to reintroduce the bill as he wants it to appear.

## EVENING SESSION ON TUESDAY NEXT.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent that on Tuesday next at 5 o'clock the House take a recess until 8 o'clock, the evening session to continue for not more than three hours, for the consideration of bills on the Private Calendar.

The SPEAKER. The gentleman from Mississippi [Mr. STEPHENS] asks unanimous consent that on Tuesday next at 5 o'clock the House stand in recess until 8 o'clock, the evening session to be for the purpose of considering bills on the Private Calendar and not to extend beyond 11 o'clock.

Mr. MANN. Unobjected bills?

Mr. STEPHENS of Mississippi. Yes; unobjected bills, to be considered in the House as in Committee of the Whole.

The SPEAKER. And no other business to be transacted at that night session. Is there objection?

There was no objection.

## RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill, H. R. 12193; and pending that I would like to see if we can make some arrangement for time for general debate. I will ask the gentleman from Washington [Mr. HUMPHREY] what time he suggests? I myself suggest five hours.

Mr. HUMPHREY of Washington. I have had requests on this side for 4 hours and 15 minutes, and very insistent requests.

Mr. SPARKMAN. We have had requests on this side for nearly as much, but I am sure we can cut it down to two hours and a half.

Mr. HUMPHREY of Washington. I have gone over the requests that have been made, and I think we ought to have four hours on this side. I have another request right now.

Mr. SPARKMAN. How would this suggestion meet the views of the gentleman from Washington, that we consume the balance of the day in general debate and consider the bill under the five-minute rule to-morrow?

Mr. HUMPHREY of Washington. No, I would not do that, because I do not know how much of this day we are going to have for discussion. There may not be very much of it left by the time we get through.

Mr. SPARKMAN. I should think we might stay here until 7 o'clock, if necessary, or even 8 o'clock. So far as I am per-